

SAN FRANCISCO PUBLIC LIBRARY



3 1223 06447 2138

5/5




San Francisco Public Library

Geography & Information Center
San Francisco Public Library
100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK

Not to be taken from the Library



Digitized by the Internet Archive
in 2012 with funding from
California State Library Califa/LSTA Grant

<http://archive.org/details/54minutesofsanfran2003san>

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, July 10, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

SEP 11 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:30 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Judy Boyajian, Deputy City Attorney; John Paul Samaha; Jonathan Purvis; Rana Ahmadi; Ben Helber; Matt Snyder; Kelley Amdur; Adam Light; Rick Crawford; Glen Cabrerros; Mary Woods; Dan Dibartolo; Dan Sider; Michael Smith; Michael Li; Kate McGee; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2003.0223C (M. WOODS: (415) 558-6315)
1275 FELL STREET - southeast corner of Fell and Broderick Streets, extending to Oak Street; Lot 11, in Assessor's Block 1215 - Request for Conditional Use authorization under Sections 207.4, 271, 303, 304, 711.11, 711.21 and 711.95 of the Planning Code to allow a Planned Unit Development on an approximately 50,000 square-foot lot for the construction of a 30-to 50-foot high mixed-use development consisting of up to 95 dwelling units, approximately 16,400 square feet of financial services and commercial/retail spaces (including a new approximately 5,700 square-foot Bank of America branch building and an approximately 10,000 square-foot Falletti grocery store/cafe) and up to 162 independently accessible off-street parking spaces (including after-hours community parking), in an NC-2 (Small-Scale Neighborhood Commercial District) Zoning District and 40-X and 65-A Height and Bulk Districts, including exceptions to rear yard, dwelling unit exposure and bulk limit requirements of the Planning Code.
Preliminary Recommendation: Approval with conditions.
(Proposed for Continuance to July 17, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 17, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

- 2a. 2002.1258DD (G. NELSON: (415) 558-6257)
1708 ANZA STREET - east side between Geary Boulevard and Anza Street, Lot 015 in Assessor's Block 1536 - Request for Discretionary Review and Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Demolition Permit Application 2002.05.01.4436, proposing to demolish a one-story, single-family residence in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There are two residential structures on the lot proposed to be demolished. The building proposed to be demolished under Demolition Permit Application 2002.05.01.4436 is a single-family dwelling located at the front of the lot. The replacement project proposes the construction of a four-story, three-unit building on the lot.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.
(Continued from Regular Meeting of June 12, 2003)
(Proposed for Continuance to July 17, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 17, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

- 2b. 2002.1259DD (G. NELSON: (415) 558-6257)
1708 ANZA STREET - east side between Geary Boulevard and Anza Street, Lot 015 in Assessor's Block 1536 - Request for Discretionary Review and Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Demolition Permit Application 2002.05.01.5442, proposing to demolish a two-story, two-family residence in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There are two residential structures on the lot proposed to be demolished. The building proposed to be demolished under Demolition Permit Application 2002.05.01.5442 is located at the rear of the lot. The replacement project proposes the construction of a four-story, three-unit building.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.
(Continued from Regular Meeting of June 12, 2003)
(Proposed for Continuance to July 17, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 17, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

- 2c. 2003.0345D (G. NELSON: (415) 558-6257)
1708 ANZA STREET - east side between Geary Boulevard and Anza Street, Lot 015 in Assessor's Block 1536 - Request for Discretionary Review of Building Permit Application No. 2002.05.01.5442, proposing to construct a four-story, three-family dwelling with three off-street parking spaces, within an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There is a related proposal (Demolition Permit Applications

2002.05.01.4436 and 2002.05.01.5442) to demolish the two residential structures currently on the lot.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

(Continued from Regular Meeting of June 12, 2003)

(Proposed for Continuance to July 17, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 17, 2003

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

- 3a. 2002.1220CV (M. LI: (415) 558-6396)
999 GEARY STREET (990 POLK STREET) - southeast corner at Polk Street, Lots 006 and 007 in Assessor's Block 0716 - Request for conditional use authorization to (1) construct a 12-story, 106-foot-high building containing up to 143 dwelling units for low-income senior citizens and (2) reduce the number of required residential parking spaces within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 130-E Height and Bulk District. The project is proposing to provide 15 off-street parking spaces where 29 spaces are required.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of June 5, 2003)

(Proposed for Continuance to September 4, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to September 4, 2003

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

- 3b. 2002.1220CV (M. LI: (415) 558-6396)
999 GEARY STREET (990 POLK STREET) - southeast corner at Polk Street, Lots 006 and 007 in Assessor's Block 0716 - Rear yard modification and usable open space and dwelling unit exposure variances sought. The proposed project is the construction of a 12-story, 106-foot-high building containing up to 143 dwelling units for low-income senior citizens within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 130-E Height and Bulk District. The rear yard modification and usable open space and dwelling unit exposure variances will be considered by the Zoning Administrator.

(Continued from Regular Meeting of June 5, 2003)

(Proposed for Continuance to September 4, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to September 4, 2003

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

4. 2003.0339C (K. AMDUR: (415) 558-6351)
625 LARKIN STREET - southwest corner at Willow Street (between Eddy and Ellis Streets); Lot 006 in Assessor's Block 0740 - Request for conditional use authorization to modify the conditions of approval of Case No. 85.22EC as set forth in Motion No. 10328, which authorized the construction of a new 5-story building containing up to 8 dwelling units, approximately 6,000 square feet of commercial space and 11 parking spaces. The proposal is to convert a portion of the 2nd floor of the building, which currently contains office space, to three dwelling units. The building would subsequently contain a total of 11 dwelling units. Approximately 2000 square feet of office space would remain on the

2nd floor. The subject property is located in an RC-4 (Residential-Commercial Combined: High Density) Zoning District, the North of Market Residential Special Use District #1 and an 80-T Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of June 5, 2003)

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Commission Comments/Questions

Commissioner Feldstein:

- She apologized to the public for not having her responses submitted regarding the Housing Element. There was a death in her family recently and she is just getting caught up with her work load.

Commissioner Bill Lee:

Re: Housing Element

- He previously had requested information from staff regarding overlays of the existing zoning for housing in the city with an overlay of supervisor Peskin's proposal for secondary units, another overlay regarding the Better Neighborhoods Program and the zoning for housing, and finally the fourth overlay would be the latest draft of the Planning Department's Housing Element. He would like to have this information before he makes a final decision. There is a public hearing on July 21 and he would like to have the priorities of the other City Departments such as the Transportation Authority, etc.

Commissioner Antonini:

Re: Housing Element

- He echoed what Commission Bill Lee mentioned and would like to see this information in a separate session other than when the Housing Element hearing will take place.

C. DIRECTOR'S REPORT

6. Director's Announcements

Re: Commissioner Bill Lee's Comments:

- He does not believe that all comments from Commissioners have been received.

- Although there is an intent to have a hard copy and an electronic copy, the electronic copy might not be available at the same time as the hard copy.

- There were agencies who gave presentations and he thought that they informed the Commission about their overlays.

- Staff will be able to provide Commissioner Bill Lee with the graphic information about the linkages to the Eastern Neighborhoods and the Rezoning Efforts as well as all the pieces of information.

Re: Budget Hearing

- During the hearing of June 26, he presented to the Commission the recommendations from the Budget Analyst to the Board of Supervisors. Later that evening he was not able to give his presentation before the Budget Committee. The hearing actually took place

the next day on Friday. At that time, he was able to respond to the Budget Analyst's recommendations. The Budget Analyst made several recommendations to delete several vacant positions, eliminate the budget for equipment, and eliminate a position where there is an individual on that requisition.

- He went before the budget committee and supported some and disagreed with some.
- The final result was the following:

1. Delete three Planner II positions that are currently vacant.
2. Delete a Senior Clerk Typist and a Senior Manager Position which are currently vacant.
3. Reclassify a vacant Planner IV position to a Planner III position.
4. Delete the \$50,000 which would have been devoted to laptop equipment.
5. Vehicles assigned on a full time basis to him and the Zoning Administrator are to be re-assigned for staff use. These vehicles are used by staff anyway so this would not change much.
6. Delete a Planner V position in the Information Services Unit. This position is currently filled so the consequence would be that those who are the least senior in this classification would be affected. In this case, that would be the Environmental Review Officer. The person in this position has very special qualifications and experience regarding CEQA. A reassignment would really undermine the ability of the department to be efficient. He will submit an alternative that would be a refinement of their actions.

SPEAKER(S):

Marilyn Amini

- She would like to know the availability of Commissioner's comments regarding the Housing Element.

- She would also like to know what is the procedure of the "Third draft" of the Housing Element.

7. **Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –**

- Due to the July 4 holiday, neither the Land Use Committee nor the Board met the week of June 30, 2003.

Land Use Committee Meeting of July 7, 2003:

- Consideration of Supervisor Peskin's ordinance establishing the Jackson Square Special Use District. "In order to provide for the protection and enhancement of specialty retail and antique store uses in the Jackson Square area."

- This legislation was amended to exempt all uses that front Pacific Street.

- Passed out to the Full Board for action.

Full Board of Supervisor's Meeting of July 8, 2003:

Re: 948-950 Lombard Street

- The appeal was tabled off the Department's Categorical Exemption from environmental review. Staff has rescinded the exemption determination after receiving new geotechnical information and are re-evaluating the environmental determination.

Land Use Committee Meeting of July 14, 2003:

- The committee will consider Supervisor Gonzalez's legislation proposing neighborhood noticing for Retail Coffee Store and Pharmaceutical and personal toiletries (i.e. drugstore) uses. Recommended unanimously by the Commission on June 5.

- Hearing to consider the priorities of City Planning and its work program for the upcoming fiscal year. McGoldrick sponsored this hearing to discuss the Department's priorities as it relates to the annual budget.

Full Board of Supervisor's Meeting of July 15, 2003:

- Appeal of the secondary unit environmental exemption.
- Conditional Use Appeal of 270-284 Valencia Street.

BOA -

Re: 330 25th Avenue

- This was a demolition and new construction. The Commission did not take Discretionary Review on either demolition or new construction.
- The Board upheld (+5-0) the Commission's decision except that a four foot corner of the proposed project should be cut out.

Re: 1349 Clayton Street

- This property was listed in the preservation listing.
- The steel windows needed to be replaced with vinyl windows. The department did not approve vinyl windows on a preservation category building.
- The owner installed the windows without a permit. An enforcement action was taken.
- The building permit was ultimately submitted, the department disapproved it.
- This went before the Board of Appeals, the department was upheld on a +4-1 vote.
- The project sponsor requested a rehearing but did not show up. The Zoning Administrator was upheld.
- The Board decided to grant another hearing. There was a decision at the call of the chair to install strips to give the illusion of cottage windows.
- This disturbs him (the ZA) and he will be looking at this further.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 4th and Freelon

(+/-) Christine Koncal

- She would like the Commission to consider lowering the building.
- There are various projects that have underground parking and some are even closer to the San Francisco shoreline.
- The cost for this building has not been substantiated.
- The developer has received a height limit gift.
- The SOMA master plan has certain codes, especially on alleys, that this has disregarded.

(-) Elizabeth Dodd

- She read a letter from Chris Slattery who lives close to the 4th and Freelon project.
- The quality of air in the area where this project will be built is the worst 2nd highest in the City.
- There is a report from the Department of Public Health that gives this same report.
- Protection is needed here more than anywhere in the City.

(-) Robert Scott

- This developer has been given an excess in height to his benefit, yet still cannot provide a code-complying building.
- This is a residential building that does not have residential requirements.
- The developer has "tied" the architect's hands.
- This project will not provide the best allowable space.

(-) John Carney

- He has looked at the exceptions and they are still not strong enough.
- The height has not been straightened out. Low cost housing is still not clear either.
- There is no mention about the garage.
- Smoke stacks should be installed because of the problems with the air quality.

- It is a real fraud to put a 9-story building where there is none.

(-) Kenton McSweeney

- He is here as a concerned neighbor and architect.
- He is concerned with the overall height of the building.
- There should be units on the bottom floors to deal with security issues.
- There are various projects in this area that have underground parking.
- He would like the Commission to deny this project as it is currently proposed.

(-) Dick Millet

- He is having a big problem with this project.
- It seems that everything has become "let's make a deal." The developer should be ashamed to have a project here

(-) Mary Ann Miller

- The additional height is designed to just affect one lot.
- The Commission cannot set aside all the requirements to make a place livable.

(-) Sue Hestor

- There seems to be private guarantees and nothing is certain.
- A lot of people have understood different things about what is proposed.

(+) Joe O'Donaghue

- He cannot believe that the public is here again after there has been hearing, after hearing, after hearing.
- This Commission should be proud of what they have done so far.
- This project simply proves that a job can be done with so many obstacles.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

8. 2003.0466C (J. BANALES: (415) 558-6339)
 555 4TH STREET (AKA 557 4TH STREET) - a parcel bounded by Freelon, Welsh, and Zoe Streets; Lot 119 in Assessor's Block 3776 - Request for Conditional Use Authorization to allow [1] the construction of residential units pursuant to Planning Code Section 249.23(a) as a replacement for a previously approved but not yet constructed live/work units and [2] an exception to the base 50 foot height limit pursuant to Code Section 249.23(i). An exception from Dwelling Unit Exposure requirements is also requested pursuant to Code Section 249.23(f). Additionally, an administrative modification of rear yard requirements is sought from the Zoning Administrator pursuant to Code Section 249.23(d). The proposal involves the construction of 296 dwelling units, 7,000 square feet of retail space, and 312 off-street parking spaces in a new nine-story building extending to no more than 85 feet in height. As required by the Fourth and Freelon Streets SUD, affordable housing with square footage equal to 15 percent of the total residential square footage of the aforementioned project would be constructed off-site. The property is within an SLI (Service/Light Industrial) Mixed-Use Zoning District, the Fourth and Freelon Streets SUD (Special Use District) as recently established by Board of Supervisors Ordinance Number 27-03, the Mixed-Use Housing Zone as set forth in Planning Commission Resolution 16202, the proposed SES (South-End Service) District as set forth in Planning Commission Resolution Numbers 14843 and 14844, and a 50/85-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of June 19, 2003)

NOTE: On June 19, 2003, following public testimony, the Commission closed public hearing and continued the matter to July 10, 2003 by a vote +4 -2. Commissioners Boyd and Antonini voted no. Commissioner William Lee was absent.

SPEAKER(S): None

ACTION: Approved as amended:

1) findings relating to the use of prevailing wages; 2) findings and conditions of approval relating to air quality issues presented by the adjacent auto-oriented use as well as financial responsibility for any required improvements to air handling equipment; 3) findings relating to impacts of the high water table on the feasibility of excavation; 4) findings and conditions of approval relating to the "un-bundling" of parking; 5) conditions of approval relating to site control for the companion affordable project prior to permit issuance; 6) conditions of approval relating to design detail for (a) the blank wall facing Zoe Street and (b) an enhanced visual connection between Zoe Street and the fourth level courtyard; 7) staff to continue to work with the applicant to improve the proposed ground level conditions along Freelon and Welsh Streets (four additional dwelling units, two each along the ground level frontages of Freelon and Welsh Streets to be established. These units would contain approximately 500 square feet and would feature direct street access); 8) the total number of units would increase to 300 while the total number of off-street parking spaces would decrease to a maximum of 307; (the topography of the site is such that the inclusion of these units may require an increase in the overall height of the building by up to 18 inches for a total height of no more than 85 feet).

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, W. Lee
NAYES: S. Lee
MOTION: 16608

F. REGULAR CALENDAR

9. 2002.07892E (J. NAVARRETE: 9415) 558-5975)
CALIFORNIA ACADEMY OF SCIENCES PROJECT - Certification of the Final Environmental Impact Report (FEIR) - The California Academy of Sciences is in Golden Gate Park (Lot 1 of Assessor's Block 1700) along the easterly edge of the Music Concourse within a P (Public Use) district and an OS (Open Space) Height and Bulk District. The project would be to build a new CAS on the site of the existing facilities. The project would include demolition of 11 of the existing 12 buildings, and the removal of approximately 73 existing parking spaces. The project would retain and rehabilitate Simson African Hall in place. The Academy would retain its general location and orientation. The new facility would include three main levels above grade, two levels below grade, and a loading area at the southwestern portion of the project site. The new Academy building would be approximately 460 feet long and 280 feet wide, with the edges of the roof extending to approximately 520 feet long by 335 feet wide. The building would feature a landscaped roof, the base height of which would be less than 40 feet. Above the base, the landscaped roof would undulate to accommodate the Academy's major programmatic components beneath, with the two peak elements over the planetarium and rainforest exhibits reaching a height of about 67 feet, or approximately 13 feet beyond the highest existing point (Morrison Planetarium). These two peaks would be set back approximately 150 feet from the roof's edge along Academy Drive. Trellised portions of the roof would extend beyond the perimeter walls. The floor area would increase from approximately 350,000 sq. ft. to approximately 390,000 sq. ft. The footprint would decrease from approximately 240,000 sq. ft. to approximately 205,500 sq. ft. This increase in area on a smaller footprint is possible because the plans significantly increase basement level areas.
Preliminary Recommendation: Certify the EIR as a Final EIR. Please note the public review period for the DEIR ended at 5:00 pm, April 29, 2003.

SPEAKER(S):
(+) Ron Miguel - PAR

- This is one of the smallest compendium of responses to the EIR. It is adequate, comprehensive, and especially complete.

(+) Jim Chappell – President of SPUR

- There is no question that this EIR is adequate and complete and should be certified.
- This is a dream project.

(-) Chris Dudlestadt - SFT

- There are a lot of errors and omissions in this project.
- There are a lot of important accesses for the public that will be removed. These are significant to the project.

(-) Mary Ann Miller – Alliance for Golden Gate Park

- This was supposed to be a series of EIR's and it has not been so.
- The public does not know what they will get.
- She hopes that the Commission combines a hearing for this EIR and for the garage.

(-) Stephen Willis – Alliance for Golden Gate Park

- He is upset that there is only 1 minute of testimony.
- This is the perfect example of fraud.

(+) Tai Via

- It is appropriate in this case to have a separate EIR.

ACTION: EIR Certified

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16609

10. 2001.0062E (T. CHAN: (415) 558-5982)

491 BAYSHORE BOULEVARD - HOME DEPOT PROJECT - Public Hearing on Draft

Environmental Impact Report - The proposed project consists of demolition of two vacant buildings, totaling 107,346 square feet (sq.ft.), and construction of a home improvement store (Home Depot). The 153,089-sq.ft. project would consist of a two-story main store with approximately 96,250 sq.ft. on the main floor, 38,405 sq.ft. on the second floor, a 9,888-sq.-ft. enclosed greenhouse and an approximately 8,546-sq.ft. outdoor-garden center. A separate parking garage consisting of two levels plus rooftop parking totaling 550 parking spaces would also be constructed on this 5.73-acre site. The buildings would be approximately 40 feet in height. Vehicular access to the parking garage would be from Bayshore Boulevard, where Cortland Avenue dead-ends into Bayshore Boulevard, and secondary access would be on Loomis and Waterloo Streets. A customer pick-up lane would be provided on the ground level of the parking facility with egress onto Bayshore Boulevard, just north of the Cortland Avenue intersection. Four freight-loading spaces would be provided. The project is located within the Bayview/Hunters Point neighborhood. The site is within the Planning Commission's adopted Industrial Protection Zone (IPZ) and is located in a M-1 (Light Industrial) zoning district and within a 65-J height and bulk district.

Preliminary Recommendation: No Action Required. Public hearing to receive comments only.

Note: Written comments will be received at the Planning Department until 5:00 p.m., on July 11, 2003.

(Continued from Regular Meeting of May 1, 2003)

SPEAKER(S):

(-) Jeff Hoffman

- He has responded to the EIR in writing.
- He is very opposed to the project because the EIR does not adequately deal with air pollution, delays because of traffic, etc.
- There will be extra traffic on the side streets.
- He is upset because the Commission did not adequately prepare for this hearing.

- There are many residents that do not want "big boxed" businesses.
- "Big boxed" businesses do a lot of damage to small businesses.

(+) Leora Vestel

- She lives just off Cesar Chavez.
- She is very enthusiastic about the EIR.
- She does not understand why San Francisco is taking so long to replace a home store with another home store.
- This store will be accessible by public transportation.
- She does not agree that this project will destroy the neighborhood.

(+) Michael Miller – Northwest Bernal Heights

- He has lived within blocks of the proposed site for 35 years.
- He supports this project very strongly.
- The area has become a deteriorating war zone.
- The community is very fortunate to have Home Depot want to establish a store at this location.

(-) John Hayes

- He lives in Bernal Heights.
- The DEIR severely underestimates the impact traffic will have in the area.
- There is an earthquake danger at this facility.
- The area is based on fill and this could be dangerous.
- He would not like to be in this building during an earthquake.

(+) Steve St. Denny – Carpet Connection

- He is a San Francisco resident and has a business across the street from the proposed site.
- He did not suffer any consequences with the 1989 earthquake.
- He cannot remember the last time he drove on Cortland Avenue and knows that it is not easy to get through Cortland Avenue. People will only do that once.
- He feels that many people will still go to the Colma Home Depot.

(+) Joe O'Donoghue

- Many of his members use Home Depot as well as the smaller businesses.
- He does not believe that this project will have a negative impact on the smaller businesses.

He supports this EIR as well as the project.

(+) Dwayne Jusino - CAPS

- They took a careful look at this project.
- There are three off ramps from the freeway that flow through this area.
- They feel that the accommodations made regarding traffic are appropriate in the EIR.

(+) Terezinha Jusino – San Bruno Avenue Merchants

- She is in favor of this EIR and this project.

(+) Rob Caldwell

- There is better planning now and this project will not be negative to the area.
- They welcome the additional traffic.

(+) Aida Calonico

- She hopes that the Home Depot project be approved.
- There are traffic problems everywhere.
- Home Depot has everything one needs.
- There will be a lot of income because of taxes and added employment.

(+) James Tham

- He has lived on Geneva for about 20 years.
- There will not be a negative impact with this project.

(+) Robert Heacock – Bernal Heights Neighbor

- He lives on Bradford Street, which is right off Cortland Street.
- The worst traffic on Cortland Street is in the morning because of commuters.
- The Home Depot has redesigned their exits and entrances.
- People will not drive on Cortland more than once. He knows how the traffic works in this area.

- Presently Colma gets his tax dollars so he welcomes this project to San Francisco.

(+) Rick Rutledge

- He lives on Andover Street.
- He is in support of accepting the draft EIR for this project.
- He knows that one of the main problems in the EIR is related to traffic but this is one of the best locations for a Home Depot store.

(+) John Degarmo

- He has worked in this area for about 20 years.
- It is very important that Home Depot be allowed to come to this location.
- The loss of Goodman Lumber has made it a place for drug addicts and crime.
- The traffic will be increased but it will not be much of an impact.

(+) Ali Saeed

- He would rather shop at a Home Depot in San Francisco than Colma.

(+) Cesar Mendoza – Bernal Heights Center

- He has lived a few blocks from the proposed site for about 30 years.
- When Goodman Lumber was at this location, there were no problems with traffic.
- This project will be good for the neighborhood.

(+) David Gregoire

- The environmental issues are fully addressed in the EIR.
- This document is thorough and complete.
- The area has always been a home improvement center. With the loss of Goodman Lumber the area deteriorated.
- He supports this project.

(+) Ana Shimko – Representing Home Depot – Cassidy, Shimko, Dawson

- Home Depot will be submitting comments on the issues stated by the public.
- She commends the City on a very thought out, and comprehensive document.

(-) Al Norman – Bayview Merchants

- He is concerned with the impacts on traffic in the area and traffic on the freeway.
- The EIR must have been good before the Fell Street off ramp was closed.
- There will be an increase in traffic.

(+) Angelo King

- He lives in the Bayview.
- There are a lot of people that work and still have to look at this report and the issues involved.
- He would like to commend Home Depot for responding to a lot of the issues the public has already raised.
- It takes a lot of time to go over this type of document, and not that many people have the time.

(+) Laurel Muniz

- She has lived in Bernal Heights for about 28 years.
- The Home Depot representatives have done a great job regarding community outreach.
- Several of the members made many requests and Home Depot representatives have accommodated the requests.
- She asks that the Commission move this project forward.

(+) Joe Porcoro

- He is a long-time resident of Bernal Heights.
- He read the EIR although he admits it was not the easiest thing to do.
- There are a lot of major streets leading to this site so why use Cortland Avenue.
- Goodman Lumber used to have super sidewalk sales and no one complained about the traffic.

(+) Judy Berkowitz – East Mission Improvement Association/Coalition for San Francisco Neighborhoods

- She read a letter from Doris Vincent who is in support of the DEIR and supports the project as well.

(-) Eve Back – ARC Ecology

- There are many defects in this DEIR.

- There is one main problem in the environmental impact report--there is an inadequacy with the General Plan.
- A lot of the information used has not been available to the public during the review period.

(-) Larry Cruz - BHNZ

- He is a 14 year resident of Bernal Heights.
- He has serious concerns about this DEIR.
- It is his hope that his concerns be taken seriously.
- His organization has been accused of being anti growth.
- They will be involved in the land use development.
- There are traffic concerns, air quality concerns, and he is concerned with the lack of community input.

(-) Mauricio Vela - BHNZ

- He lives in Bernal Heights.
- He has always taken Cortland Avenue to get to Goodman Lumber.
- Many residents would like to have housing on top of the Home Depot project.
- This project will impact the community negatively.
- Not only Cortland will be impacted but also Bayshore Boulevard.

(-) Ron Morgan - BHNZ

- He lives in Bernal Heights.
- The Draft EIR does not come close to dealing with the issues made by the community.
- If Home Depot is [not] allowed to mitigate it's impacts then the residents and taxpayers of San Francisco will suffer.
- The Redevelopment Agency has been in support of this Home Depot because it will allow other large business to be in the area. This is growth inducement that is not stated in the DEIR.

(-) Barbara Kyle

- She lives in Bernal Heights.
- The traffic information that is in the EIR is not accurate and underestimated.
- She displayed a street map of the proposed project stating that there will be only one entrance to the parking garage.

(-) Roy Recio

- He lives in Bernal Heights.
- He is a legally blind person.
- It is very difficult for him to get through the streets in this area.
- It will be practically impossible for him to get through if this project gets approved.

(-) Amy Beinart – Bernal Heights Neighborhood Center

- She has lived in Bernal Heights for about 15 years.
- She is concerned with the DEIR because it does not deal with the traffic concerns.
- She is concerned that the DEIR does not adequately address or fully evaluate the traffic that comes from O'Shaughnessy.
- The increase in traffic will add to the pollution.

(-) Robert Mokey

- He finds that there are a series of flaws in the DEIR regarding traffic and air pollution.
- The statement made in the DEIR that there would be a 13% increase in traffic is not very realistic since he shops at the Home Depot in Colma.
- A huge "big box" is inconsistent with this area.

(-) Amy Kyle

- She is concerned with the air quality and pollution this project will cause.
- Vehicle pollution is one of the most important resources of air pollution.
- How land and transportation is managed determines if there will be air pollution.
- It is important to analyze this in a serious, well-grounded way.
- This DEIR does not do this.

(-) Liz Lindle – Cole Hardware

- She lives on Bernal Heights.

- She read the DEIR and asks the Commission to look at the big picture and the future for the Bernal Heights area and the surrounding areas.

(-) Linda Cook – Cole Hardware

- She feels that there will be a loss of small business with this project.
- Small neighborhoods have small businesses and that is part of this.

(-) Rosanne Liggett

- She lives in Bernal Heights.
- She feels that this Home Depot is huge and will have a negative impact on the neighborhood.
- She thinks that there will be a large impact on the traffic and on the side streets.
- There are issues with earthquake safety as well that have not been adequately addressed.

(-) Brent Daniel

- He lives in Bernal Heights.
- He urges the Commission to treat the DEIR with great skepticism.
- At the Colma Home Depot he has had to wait a lot just to get into the driveway.

(-) Douglass Halloway

- He has lived in Bernal Heights for about 15 years.
- The main entrance and exit is by Cortland Avenue. This will cause a driveway on the street.
- The DEIR does not adequately address the traffic impact.
- The traffic here will mostly be large trucks, vans, etc.

(-) Gretchen Mokry

- The DEIR states that there will not be significant traffic in the area.
- The only way to get out of Bernal Heights is either on Cortland or Mission.
- Cortland Street will be backed up and this could be a dangerous situation.
- She would like to see more study on the cancer affects because of vehicle pollution.

(-) John Daniels

- He has lived in Bernal Heights for many years.
- There are people that drive through this neighborhood rather fast and can be dangerous to pedestrians.
- A car before has hit him and that is very scary.
- This is the time to plan for the future.

(-) Larry Dean

- He lives on Bernal Heights.
- He "tried" to read the DEIR, but he did look at the charts.
- The sense he got from the report is that traffic will definitely increase and the air quality will worsen.
- He is opposed to such a large home improvement store.
- There is a transit first policy and this project does not have a transit first policy.

(-) Charley Abrams – Traffic Consultant

- He is a traffic engineer and works for Cole Hardware.
- He reviewed the DEIR very thoroughly and he is concerned with the mitigation measures.
- This project will generate about 1,000 vehicles per hour.
- This project is the equivalent of adding another lane of traffic on the freeway.

(-) Deborah Levy

- She lives in Bernal Heights.
- The DEIR is not good for Bernal or for the rest of the City.
- The report does not deal with the social impacts on this City.
- There will be a lot of delays in the morning and this will cause impacts on the Laid Law buses that take children to the various public schools.
- All of these things will be affected by future stores that will want to open their businesses in this area.
- A mid-size development will be more appropriate.

(-) Bill Nieto - BHNC

- He has lived in Bernal Heights all of his life.
- This is a common sense deal. The Colma store is not built on a street.
- He drives a truck for a living and he feels that there will be jobs lost.

(-) Rachel Kesel

- She rides her bike to various locations in the City.
- She recently saw a biker get hit by a car in this area.
- There is a lot of vehicle pollution in that area already.
- The DEIR states that there will be some loss of parking spaces in the area.
- There is growth inducement because Pier 1 is planning to move into the area as well.

(+) Joseph Smooke – Bernal Heights Neighborhood Center

- The Department of Parking and Traffic study is very comprehensive. Bernal Heights was made a pilot study because there are significant traffic and pedestrian impacts.
- There are two major vacant sites on Bayshore.

(-) Cris Witteman

- He lives on Cortland Street.
- He heard that if Home Depot changed their entrance to Loomis Street it would mean that the Commission would need to look at this again.
- It would be a good idea to receive the underlying data in an electronic format.

(-) Dorin Steinberg

- Bernal has emerged to be a jewel neighborhood.
- By the year 2005 all the ramps will be jammed up.
- It is so frustrating right now for him to get onto 101.
- There is already heavy vehicle congestion on Cortland Street. People from various neighborhoods will go through Cortland to get to Home Depot.

(-) Rick Gerharter

- He lives on Cortland Street.
- He works from home and uses his car frequently.
- This project will impact his business negatively and he urges the Commission to reject the EIR.
- There should be a more community-based development for this area.

(+/-) Elouise Patton

- There are a number of inadequacies in regards to employment.
- Home Depot is aware of this and they have stated that they will be fixing this.

(-) Mark Lynch

- He is not opposed to a Home Depot project but the project will cause a negative impact, and the area is already a zoo.
- He spoke with various neighbors and most all of them are concerned with pollution.
- He has lost relatives to cancer.

(-) Gina Solomon, MD, MPH

- She is a resident of Bernal Heights.
- She read the DEIR specifically as it relates to the air quality issues.
- There are various reports and studies that prove that people in high pollution areas are more at risk to cancer.
- The EIR has a lot of inadequacies related to scientific information on air quality.

(-) Phoebe Grigg

- She is concerned with overflow traffic and air quality issues.

(+) Jorge Bustos

- He is a San Francisco native and a real estate broker.
- This is a good project.
- With any type of change there is resistance, there are negative aspects and positive aspects.
- He has been to Home Depots in the bay area and knows that there is a lot of traffic, but the residents east of San Francisco will still go to the Colma Home Depot because of 19th Avenue.

(-) Molly Maloney

- She owns a business that is about two blocks away from this location.
- The more people that come to Home Depot the more people who will drive past her business.
- She will still support small business and go to Cole Hardware.
- She is opposed to the project.

(-) Jim Allison

- He lives on Cortland Street.
- There are long-term impacts with this project.
- This is a perfect example of Planning failing to plan.
- He encourages the Commission to look at the future growth impacts.

(-) Ingrid Larson

- She lives on Cortland Street.
- She has looked at this report but does not believe it because there are already traffic problems in the area.
- The traffic is not going to get any better.
- The community does not need this.

(-) Gil Payne – Prudential California Realty

- He lives in Bernal Heights.
- He works for Prudential Realty.
- There are problems already today in this area.
- There is backed up traffic on Cortland already and it will make it worse with this project.
- He is also concerned about air quality and fumes.
- He is not against Home Depot but Goodman Lumber was more community based.
- He is also concerned that his property will decrease in value.

(+) Charles Clary

- The DEIR includes improvement for the Bayshore Avenue.
- He is concerned that there will only be one entrance to the parking lot of Home Depot. He thought that there were others.
- He supports Home Depot and other business of this sort to come to the City.

(-) Dan Dodd – BVHP – PAC

- He lives in the Bayview District.
- He shares the vision of revitalization of the Bayshore corridor.
- After reviewing the DEIR, he discovered a lot of inconsistencies.
- He has repeatedly asked the project sponsor to provide information to him and he has not been able to receive it.

(-) Rick Shelton

- He is not against business because he is a businessperson.
- Regardless of the impact on Cortland Street, the important thing is the quality of jobs provided. What kind of living wage will people have? White type of benefits?
- The uniqueness of the City will be change with this project.

(-) Kathryn Maxey

- She lives on Cortland Street.
- She has three concerns: the negative affects on the neighborhood, traffic and air pollution.

(+) Rev. Arnold Townsend

- He finds this DEIR adequate and it is time to move on.
- There is a certain kind of environmental danger--it is unemployment.
- This project will provide jobs, so this project should be supported.

(-) Sue Hestor

- She lives in Bernal Heights and is also representing Cole Hardware.
- The applicant of this project is Home Depot as well as one of the previous owners of Goodman Lumber. This site has not been maintained. If this project is developed it would make it harder for the Redevelopment Agency to justify a redevelopment area for this area.

- There are a lot of inconsistencies with this EIR. For example, the maps show non-existent streets, etc.
- There is no analysis of pedestrians or MUNI impacts.

(-) Cris Ellen Montgomery

- She would like the Commission to reject the DEIR because it is flawed.
- She has worked for the City and County of San Francisco for many years.
- There will be a "lava" flow of traffic down Cortland to visit the new Home Depot.

ACTION: Public hearing only. No action required.

Item 11 was taken out of order and followed item 9:

11. 2003.0207C

(R. CRAWFORD: (415) 558-6358)

1509 TARAVAL STREET - between 25th and 26th Avenues, Assessor's Block 2400 Lot 043 - Request under Planning Code Section 161.(j) for Conditional Use Approval for a reduction of 3 off street parking spaces required for dwellings for a Project with ground floor commercial and 3 dwelling units. This project lies within an NC-2 Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):

(+) Reza Khosnevisian – Project Engineer

- He has no problem with the conditions placed by the Department.
- He is available to answer questions.

(+) Howard Weston

- He lives right next door.
- He knows the area better than anyone around because he has been living there for about 40 years.
- The parking situation is terrible in the area.
- The parking is so bad that he sometimes cannot even use his own driveway.
- He feels that with this project there will be at least nine more cars.

ACTION: Intent to Disapprove. Final Language July 24, 2003

AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee

NAYES: Bradford Bell, Feldstein

12. 2002.1049C

(K. McGEE: (415) 558-6367)

34 LELAND AVENUE - north side between Bayshore Boulevard and Alpha Street; Lot 10 in Assessor's Block 6248 - The proposal is to demolish the existing vacant building and to construct a four story structure. Request for Conditional Use Authorization to construct a child-care facility on the ground floor and three dwelling units above without providing the required three parking spaces, per Planning Code Section 161.(j) in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Approve with modifications.
(Continued from Regular Meeting of June 19, 2003)

SPEAKER(S):

(+) James Lee – Project Engineer/Designer

- He agrees with staff's decision except for the height.
- The top floor has been set back 15 feet from the front so it is not visible from the street in the front.

(+) Marlene Tran – Project Sponsor

- She is here to ask the Commission to consider the amendments of the conditions of approval to allow for a full story building with a setback on the top story.
- She has about 1,000 signatures in support for this project.

- Past efforts have failed to revitalize Leland and Bayshore Avenue because those plans were not viable.
- She has been a teacher for many years and she has listened to the needs of her students.
- In Visitation Valley this is the only commercial street.
- She is not here to exploit the community.
- The proposed development is consistent with the community vision of revitalization of Visitation Valley.

(+) Dwayne Jusino – CAPS

- The applicant has been a tremendous resource for the community of Visitation Valley.
- She has provided services that have been a great asset to Silver Terrace.
- This service is very necessary for the community.

(+) Sonja Carter

(Testimony of speaker was unclear, but was in support of the project)

(+) Natalie Gee

- She is here to support the project.
- She has known the project sponsor for many years and knows that she has been an asset to the community.
- The project sponsor wants the best for her community. Affordable housing and a childcare center are good for the community.

(+) Michael Hou

- He is here to support the project sponsor.
- The project property is very old and needs to be replaced.
- Improving the housing will beautify the area.
- The area will be prosperous.

(+) Jose Chavez

- He would like the Commission to support this project.
- The project sponsor has been an asset to the neighborhood.

(+) Jim Ai Long

- She is here to support this project because it will rebuild the area.
- Because of this project, many people will benefit.
- The childcare facility will be beneficial to the residents of the neighborhood.

(+) Chia Fong Lin

- She is here to support this project and the project sponsor.

(+) Guo Quan Yang

- The project sponsor has done a lot of work for the community.
- The safety in the neighborhood is not that great, but the project sponsor has worked hard to improve safety.
- She supports this project.

(+) Sau Ha Fong

- She is here to support this project.
- She is the president of the Student Association.
- Ms. Tran has helped the PTA receive a lot of benefits.
- This year there is no summer school so her daughter cannot attend.
- Parents/Teacher's Association fully support this project.

(-) Bing Yan Chen

- She is opposed to the project because there are already many childcare facilities.
- The construction will cause disruption to the neighborhood.

(-) Jane Wu

- This project will cause disruption to everyone living nearby.
- The new structure will block light and air.

(-) Darwin Lee

- Visitation Valley Community Center has been in the neighborhood for many years and there is a childcare facility there.

- The neighborhood has only one and two story structures.
- A four story structure would be out of character and overwhelming.
- He lives right behind the structure and it will block the light from his house.

(-) Yu Tong Wu

- He does not oppose the childcare but he is opposed to a four level building.
- The four level building does not provide a parking space.
- The project sponsor is being very selfish.
- There are over 200 people who oppose this project.
- He would support a two story building but not a four story one.

(-) James Lum

- He has been living in the neighborhood since the 1950s.
- A four story building built where most of the buildings are only two stories is not very compatible.

(-) David Chan

- He has owned property on Leland Street for about 20 years.
- Leland Avenue is very busy, especially in the afternoon.
- Anytime from 4 to 6 p.m., people double park. Having the childcare center there will cause parents to double park to pick up their children.
- Without having additional parking spaces, the three residential units should not be accepted.

(-) Xin Huang

- He has lived in the neighborhood for many years.
- Parking spaces are very limited. He is concerned that there will be an increase in traffic and congestion.
- He supports building schools and childcare centers.

(-) Pak Lok

- He does not support a four story building.
- If there is a four story building it will block the sunlight from his yard.
- He supports a two level structure.

(-) Deborah Liu

- She is not in support of a four story building because it does not allow off street parking.
- The building does not fit the character of the neighborhood.
- It will also block sun and light.

(+) Richard Ow

- He has known the project sponsor for many years.
- He has seen how the children benefit from the project sponsor's caring ways.
- Many people in the neighborhood have two jobs. Because of this, the children will be able to stay at the childcare center.

(+) Winnie Tsang

- There is a big parking lot in the neighborhood, so people cannot say that there is no parking.
- More people are moving into the neighborhood.
- She urges the Commission to support this project.

(+) Pilar Dexter – Visitation Valley Community Center

- Parking is not a big problem in the neighborhood.
- There are three story buildings in the neighborhood.
- The project sponsor does a lot for the community.
- She urges the Commission to support this project.

ACTION: Approved as amended: 1) In order to meet the open space requirements for the dwelling units, the fourth floor shall be deleted; 2) add a kitchen to the first floor; 3) in order to meet the State childcare requirements for open space per child, the design of the project shall be modified to increase the setback on the ground floor; 4) allow 2, 3-bedroom units.

AYES: Bradford Bell, Feldstein, Hughes, W. Lee
 NAYES: Antonini, Boyd, S. Lee
 MOTION: 16611

- 13a. 2003.0109EKC^{CV} (B. FU: (415) 558-6613)
988-992 HOWARD STREET (A.K.A. 185-197 6TH STREET, A.K.A. 'THE PLAZA HOTEL'), corner of 6th Street; Lot 025 in Assessor's Block 3725 - Request for Conditional Use Authorization to allow the demolition of dwelling units pursuant to Planning Code Sections 815.13 and 803.5(b). The proposal involves the demolition of an existing two-story structure containing 37 SRO units and retail and performing arts space and the new construction of a 9-story structure containing 106 SRO units, ground level retail space, and performing arts space. The property is within an RSD (Residential / Service) Mixed-Use Zoning District, a Mixed-Use Housing Zone as set forth in Planning Commission Resolution Number 16202, and an 85-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):

(+) Erin Carson – Senior Project Manager for Public Initiatives Development Corporation

- The people who were here to testify have gone home because of the lateness of the hearing.
- She presented slides describing the project.
- They have met with various community organizations regarding this project.
- She hopes that the Commission will approve the project.

(+) Paulette Taggart – Taggart Design

- She described the architectural components of the project.

ACTION: Approved as Amended: Change the designated agency from The Mayor's Office of Housing to the Redevelopment Agency; and add a condition that says there will be no bar, liquor store, or other liquor sales permitted on the site.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
 MOTION: 16610

- 13b. 2003.0109EKC^{CV} (B. FU: (415) 558-6613)
988-992 HOWARD STREET (A.K.A. 185-197 6TH STREET, A.K.A. 'THE PLAZA HOTEL') - corner of 6th Street; Lot 025 in Assessor's Block 3725 - Requests for [1] a Rear Yard Modification to allow partial relief from rear yard requirements pursuant to Code Sections 134(e)(1) and 307(g), [2] an Off-Street Parking Modification to waive off-street parking requirements for an 'arts activity' use pursuant to Code Sections 161(k) and 307(g), and [3] an Off-Street Parking Variance to waive parking requirements for SRO (Single Room Occupancy) units pursuant to Code Sections 151 and 305. The proposal involves the demolition of an existing two-story structure containing 37 SRO units and retail and performing arts space and the new construction of a 9-story structure containing 106 SRO units, ground level retail space, and performing arts space. The property is within an RSD (Residential / Service) Mixed-Use Zoning District, a Mixed-Use Housing Zone as set forth in Planning Commission Resolution Number 16202, and an 85-X Height and Bulk District.

SPEAKER(S): Same as those listed for item 13a.

ACTION: Zoning Administrator closed the public hearing and granted the modifications and variance.

14. 2002.0896C (B. FU: (415) 558-6613)
436 CLEMENTINA STREET - north side, between 5th and 6th Streets, Lot 062 in Assessor's Block 3732 - Request for Conditional Use (CU) authorization under Planning Code Section 263.11 to allow Special Height Exceptions within the South of Market Residential Service District (RSD) with a 40-X/85-B Height and Bulk Designation. The proposed project would demolish the existing one-story, 5,000 square-foot warehouse and construct 28 residential units over a ground-floor commercial space, and ten off-street parking spaces within a new eight-story structure. The proposed structure would be approximately 75 feet in height.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of May 22, 2003)
NOTE: Although a public hearing was held on February 13, 2003, public comment remains open.

SPEAKER(S): None
ACTION: Without hearing, item continued to September 4, 2003
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

15. 2002.0430C (J. IONIN: (415) 558-6309)
378 10TH AVENUE, A.K.A. 389 9TH AVENUE, AND A.K.A. 4500 GEARY BOULEVARD - northwest corner of 9th Avenue and Geary Boulevard; Lot 035 in Assessor's Block 1441 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install a total of six antennas and related equipment for AT&T Wireless, on the roof of an existing three-story, 53-foot tall, industrial structure within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is both a co-location site and an industrial building in an NC-3 District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S): None
ACTION: Without hearing, item continued to July 17, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

16. 2003.0544C (T. TAM: (415) 558-6325)
605 ITALY AVENUE - southeast corner of Italy Avenue and Naples Street; Lot 25A in Assessor's Block 6340 - Request for Conditional Use authorization pursuant to Planning Code Sections 209.3 and 303 to establish an accessory institutional use (Epiphany Parish Center) in an existing two-story building currently owned and occupied by the Roman Catholic Archbishop of San Francisco. The property is located in RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):
Mon. Bruce Dryer, Pastor – Project Sponsor
- He is concerned with the number of street trees.

ACTION: Approved as amended: strike out finding No. 5 (which requires five (5) trees).
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
MOTION: 16612

G. DISCRETIONARY REVIEW HEARING

At approximately **9:43 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

17. 2003.0179D (K. SIMONSON: 415-558-6321)
2935 PACIFIC AVENUE - south side between Baker and Broderick Streets, Lot 27 in Assessor's Block 976 - Request for Discretionary Review of Building Permit Application No. 2000.12.21.8481, proposing to make alterations to the rear of the building and construct a roof deck. This building permit application was the subject of an earlier Discretionary Review Hearing (Case No. 2001.0251D) to reduce the number of dwelling units from three to two. The dwelling unit merger was heard by the Planning Commission on June 21, 2001. The application was subsequently appealed to the Board of Permit Appeals and heard on November 28, 2001, where the project, including the dwelling unit merger, was approved. The permit, as revised, is consistent with that approval. The subject property is in an RM-2 (Mixed Residential, Moderate Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted

SPEAKER(S): None

ACTION: Discretionary Review request was withdrawn

18. 2003.0519D (K. SIMONSON: 415-558-6321)
1111 STANYAN STREET - west side between Parnassus Avenue and Grattan Street, Lot 4 in Assessor's Block 2630 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2003.02.13.7368, proposing to legalize the merger of two dwelling units to create a single-family dwelling. The subject property is in an RH-3 (Residential, House, Three Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted

SPEAKER(S): None

ACTION: Without hearing, item continued to July 31, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

19. 2003.0165D (D. SIROIS: (415) 558-6313)
3976 - 25TH STREET - north side of 25th Street, between Sanchez & Vicksburg, Lot 019, Assessor's Block 6536 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application 2002.11.07.0995, to demolish an existing single-family dwelling (the project also includes the construction of a new two-family dwelling) in an RH-2 (Residential House, Two-Family) District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit.
(Continued from Regular Meeting of June 5, 2003)

SPEAKER(S):

(+) Russell Murphy - Project Sponsor

- He purchased the property about two years ago.
- The house was divided into two illegal units.
- The third has no egress.
- There is no seismic reinforcing.
- The electrical is quite old as well as the plumbing.
- The foundation does not have any steel.

(+) Bill Hong – Structural Engineer

- The building is so extensively deteriorated that it does not have the benefit of modern building code protections.
- The house was built in 1906.
- There is extensive damage throughout the building.

(+) Nersi Hemati – Soils Engineer – Nersi Hemati Consulting Soils Engineers

- There is a lot of soft clay material as well as sand in the foundation.
- If there is a major earthquake, there is danger of liquefaction.
- With a new foundation, they would be preventing damage to the building in the event of an earthquake.

(+) John Altman – Project Architect

- The structure has been severely altered over the years.
- He displayed a picture of the rear of the building explaining that it is in terrible shape.
- The way the house is designed currently, there is not enough windows for light and air.

ACTION: Did not take Discretionary Review and approve the demolition

AYES: Antonini, Bradford Bell, Boyd, S. Lee, W. Lee

NAYES: Feldstein and Hughes

20. 2003.0588D (G. CABREROS: (415) 558-6169)
1532-1534 COLE STREET - east side of the street and south of the intersection of Cole and Carmel Streets, Lot 016 in Assessor's Block 1293 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.12.20.4027 proposing to demolish a two-story, two-unit dwelling in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk District. Construction of a two-story, two-unit building with two parking spaces is also proposed under separate permit.
 Preliminary Recommendation: Do not take Discretionary Review and approve demolition.
 (Continued from Regular Meeting of June 26, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 17, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 21a. 2003.0189D (G. CABREROS: (415) 558-6169)
529 21ST AVENUE - west side between Anza and Balboa Streets, Lot 004 in Assessor's Block 1564 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.06.14.9077 proposing to demolish a one-story, single-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Construction of a four-story, two-unit building with two parking spaces is also proposed under separate permit.
 Preliminary Recommendation: Do not take Discretionary Review and approve demolition.
 (Continued from Regular Meeting of June 19, 2003)

SPEAKER(S):

(-) Marylou Estrada – Discretionary Review Requestor

- There are many residents who will be negatively affected by the proposed project.
- The 21st Avenue Coalition has had several meetings and made several requests with the project sponsor. The coalition feels that the project sponsor has not been responsive to the requests from the neighbors.

- The coalition requests that the Commission revise the project with the following changes: reduce square footage, reduce depth of pop-out, revise project plans to lessen light and air impacts, provide additional parking, etc.
- She would like the project sponsor to respect the character of the neighborhood. The project is just too large.

(-) Hiroshi Fukuda

- He opposes the demolition as well as the project.
- This house [as is] is more affordable than what the finished project will be.
- The building is too large.

(-) Jim Draper

- He lives on 21st Avenue.
- He is opposed to the demolition and the size of the new project.
- He fears that this project will be cause for illegal units.
- The project is too big.

(-) Greg Wright

- He lives on 21st Avenue
- He opposes the project because it is too large.
- He displayed a site map of the street showing how many of the houses are much smaller than the proposed construction.

(-) Tony Maurovich

- He has lived on 21st Avenue for about 50 years.
- He supports his neighbors who are against this project. The project will not affect his home but he is here to oppose the project.

(-) Chiyu Nagareda

- She lives in a small house and is always having problems with parking.
- The light does not come in that well to her house.

(-) Jim Cranna

- He has lived on 21st Avenue for about 26 years.
- The proposed entryway of the proposed structure will be different than the other entryways of the homes in the neighborhood.

(-) Mario Salinas

- He is concerned about preserving the neighborhood character.
- The new building is too large.
- He opposes this project.

(-) Elisabeth Robinson

- He lives on 22nd Avenue and will be adversely affected by this project.
- The Residential Guidelines state that intrusions into the rear yard, even though permitted by the planning code, may not be appropriate if they fail to respect the mid-block open space and reduce adverse impacts on adjacent buildings.

(-) Krista Robinson

- She has lived on 22nd Avenue for about 25 years.
- As her mother explained, this property will have a negative affect on her yard.

(-) Mario Castagnola – Discretionary Review Requestor

- He has lived on 21st Avenue for many years.
- He is concerned with the following issues: Excavation will undermine the foundation to his house; the 4th floor will block two of his windows therefore reducing light and air.

(-) Phillip Castagnola

- He is concerned with the blockage of light and air to his house.

(-) Phillip Cranna

- He has lived on 21st Avenue all his life.
- A lot of the signatures on the project sponsors support sheet do not come from people in the neighborhood where the project is proposed.

(-) Joan Connelly

- She is opposed to the project because of the parking that would be lost.

(-) Loren Lopin

- He opposes the demolition because he feels that the cost to repair the current structure does not reach the 50% requirement.

(-) (name unclear)

- She urges the Commission to take Discretionary Review and disapprove the demolition and the new construction.

(+) Way Shan Leung – Project Sponsor

- She has lived in the Richmond District for 27 years.
- The project meets all the City codes.
- The current structure was never affordable housing.
- She is only eliminating a public hazard.
- She is proposing to build four stories. The two adjacent buildings are four stories as well.
- She contacted the neighbors about one year ago.
- All the homes in the Richmond District have a variety of designs.

(+) Antonio Barrientos

- He lives on 21st Avenue (two blocks north of the property in question).
- He feels that the current structure is an eye sore.
- Parking has always been a problem in the area.
- Please approve the project as submitted.

(+) Meshell Johnson

- She has known the Leung Family half of her life.
- The Leung family wants to stay together and this makes financial sense.

(+) Gautham Reddy

- The existing building is an eye-sore as well as a safety hazard.
- The building needs to be torn down.
- The building is mixed because of the height, and the project sponsor will be building two units and adding to the housing stock.

(+) Dr. Kenji Murase

- He lives in the Richmond District and is in support of the demolition and the proposed construction.

(+) Dr. Miriam Murase

- She lives in the Richmond District.
- She hopes that the Commission will approve this project because it will allow a family to stay together and for siblings to live with their parents.

(+) Dr. Greg Zaharchuk

- He is a resident physician on a very low salary.
- He lives with his wife and his wife's parents.
- He hopes the Commission will approve this project.

(+) Ben Lee

- The current structure was vandalized a few month's ago.
- This structure needs to be demolished in order for this not to happen again.
- The family deserves everything they should under the law.
- This is a real nice family.

(+) (name unclear)

- He lives with his family on Balboa Street.
- He feels that the current house is old and dirty.
- The new structure will not be out of scale with the adjacent structure.
- Sometimes he has a language barrier so it is good to keep together helping each other out.

(+) Raymond Lui

- He has known the Leoung family all his life.
- He grew up on 23rd Avenue.
- This family should be allowed to build a home under the appropriate laws.
- He is a structural engineer.

ACTION: Did not take Discretionary Review and approve the demolition.
AYES: Antonini, Bradford Bell, Boyd, S. Lee, W. Lee
NAYES: Feldstein and Hughes

- 21b. 2003.0316D (G. CABREROS: (415) 558-6169)
529 21ST AVENUE - west side between Anza and Balboa Streets, Lot 004 in Assessor's Block 1564 - Request for Discretionary Review of Building Permit Application No. 2002.06.14.9075 proposing to construct a four-story, two-unit building with two parking spaces in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve with modifications.
(Continued from Regular Meeting of June 19, 2003)

SPEAKER(S): Same as those listed for Item 21a.

ACTION: Take Discretionary Review and Approve with the following amendments:

- Provide a matching light well at the northern side property line. The parapet at the lightwell shall be reduced to allow additional light and air access.
- Provide a side setback/notch at the southwest corner of the project at the second floor. The rear wall of the proposed building would align with the rear wall of the Requestor's building, and the side wall would align with the proposed "pop-out" structure.
- The double-height entry pattern shall be addressed through architectural detailing of the building's front facade.
- The basement and ground floor levels of the project shall be internally connected to the dwelling unit directly above the ground floor.
- A tandem parking space shall be added within the garage, which would provide parking for three cars (only two spaces are required to be independently accessible).

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

22. 2002.1268D (G. NELSON: (415) 558-6257)
527 23RD AVENUE - west side between Anza and Balboa Streets; Lot 007 in Assessor's Block 1566 - Request for Discretionary Review of Building Permit Application No. 2002.09.05.5649, proposing to construct a two-story horizontal addition at the rear of the single-family dwelling, a new third floor and a partial fourth floor in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposal would create a second dwelling unit and a second off-street parking space.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.
(Continued from Regular Meeting of June 12, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 31, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

23. 2003.0389D (T. WANG: (415) 558-6335)
111 LOBOS STREET - south side between Capitol and Plymouth Avenues; Lot 047 in Assessor's Block 7104 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.07.15.1446, proposing to demolish an existing two-story, single-

family dwelling (the project also proposes to subdivide the existing lot into two separate lots and construct a new two-story, single-family dwelling on each of the two lots) in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

SPEAKER(S): None

ACTION: Without hearing, item continued to July 31, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

24. 2003.0471D (D. JONES: (415) 558-6477)
764 PACHECO STREET - east side between Aerial Way and 12th Avenue, Lot 14 in Assessor's Block 2123A – Request for Discretionary Review of Building Permit Application No. 2003/02/18/7720, proposing to construct a two-story, rear horizontal extension to the existing two-story, single-family residence. The subject property is in an RH-1 (Residential, House, Single Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as modified.

SPEAKER(S): None

ACTION: Without hearing, item continued to July 31, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 11:44 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 4, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

5 F
5
010
7/17/03

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, July 17, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT

SEP 23 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Kevin Hughes,
Lisa Feldstein, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Susan Cleveland-Knowles, Deputy City Attorney; Amit Ghosh; David Alumbaugh; Joy Navarrete; Jim Miller, Mat Snyder; Jonas Ionin; Geoffrey Nelson; Mary Woods; Glenn Cabrerros; Kate McGee; Rick Crawford; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0277C (A. LIGHT: (415) 558-6254)
150 GOLDEN GATE AVENUE - north side between Jones and Leavenworth Streets, in Assessor's Block 344, Lot 4. Request for a Conditional Use authorization to construct a building exceeding 40 feet in height in an R (Residential) District, to determine an appropriate setback at the top portion of the front of the façade of the proposed building, and to allow an Institutional Use in an RC (Residential Commercial Combined) District. The subject property is zoned RC-4 (Residential-Commercial, Combined, High Density) District, is in the North of Market Special Use District, and is in an 80-120-T Height and Bulk District. The proposal is to demolish an existing four-story, approximately 88-foot high vacant building originally used as a lodge building for the Knights of Columbus, and most recently as office space. The existing building would be replaced with a new five-story, approximately 78'-0" high building that would house administrative and some on-site service functions of the St. Anthony Foundation which provides a variety of services to homeless and other disadvantaged individuals. The proposed facility at 150 Golden Gate would function as part of a larger campus of St. Anthony's and would specifically provide space for administrative offices, counseling, health and job training services, and.

temporarily, some dining services, until a new dining and residential structure could be constructed across the street.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of April 10, 2003)

NOTE: On May 1, 2003, following public testimony, the Commission closed public hearing and continued this item to July 17, 2003 in order for project sponsor to continue to work with community by a vote of +7 -0.

(Proposed for Continuance to September 11, 2003)

SPEAKER(S):

Re: Continuance

Michael Nulty – Tenant Association Coalition

- He agrees with the continuance because St. Anthony's has had several meetings but there is still information we need.

John Nulty - PILE

- The proposed building has a historical rating and it would lose its architectural significance if this project is approved.

Shawn Collins – TSIP/NOMNIC

- The project is not ready to move forward. Please allow the continuance.

Elaine Zamora

- She supports the continuance. St. Anthony's has had several community meetings. This project is definitely moving forward but there is still a lot to be done.

Otto Duffy

- He is in agreement with the continuance.

Susan Bryan - NOMPC

- She agrees with the continuance until all the issues have been dealt with.

David Villalobos

- St. Anthony's has been meeting with the community but there is still no action from them.

- There is still much to be done before the Commission makes any decision.

ACTION: Without hearing on the item, it was continued to September 11, 2003

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

2. 2001.0637D (B.FU: (415) 558-6313)
1352 HAMPSHIRE STREET - west side between 25th and 26th Streets - Request for Discretionary Review of Building Permit Application No. 2003.02.13.7451, Lot 7 in Assessor's Block 4275, proposing to add a horizontal and vertical addition to an existing single-family dwelling. One additional dwelling unit is proposed for a total of two units on the lot. The property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Pending
(Proposed for Continuance to July 31, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 31, 2003

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

3. 2003.0457D (T.TAM: (415) 558-6325)
1223 35TH AVENUE - west side between Lincoln Way and Irving Street, Lot 3 in Assessor's Block 1715. Discretionary Review request for Building Application Permit No. 2002.12.17.3719 to allow a new third story vertical additional to an existing two-story,

single-family dwelling. The property is located in the RH-2 and 40-X Height and Bulk Districts.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(DISCRETIONARY REVIEW APPLICATION WITHDRAWN)

SPEAKER(S): None

ACTION: Discretionary Review Application Withdrawn

4. 2002.0723C (G. NELSON: (415) 558-6257)
491 HAIGHT STREET - southeast corner at the intersection of Fillmore Street and Haight Street; Lot 025 in Assessor's Block 859 - Request for Conditional Use authorization pursuant to Section 711.83 of the Planning Code to install a total of two antennas and related equipment on the roof of and within the basement of an existing four-story, 45-foot tall, mixed use (21 apartments over ground floor commercial) structure, as part of Cingular's wireless telecommunications network, within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines, the proposal is a Preferred Location Preference 5 as it is a mixed-use building in a high-density district.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of May 15, 2002)
(CONDITIONAL USE APPLICATION WITHDRAWN)

SPEAKER(S): None

ACTION: Conditional Use Application Withdrawn

- 5a. 2002.1258DD (G. NELSON: (415) 558-6257)
1708 ANZA STREET - east side between Geary Boulevard and Anza Street, Lot 015 in Assessor's Block 1536 - Request for Discretionary Review and Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Demolition Permit Application 2002.05.01.4436, proposing to demolish a one-story, single-family residence in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There are two residential structures on the lot proposed to be demolished. The building proposed to be demolished under Demolition Permit Application 2002.05.01.4436 is a single-family dwelling located at the front of the lot. The replacement project proposes the construction of a four-story, three-unit building on the lot.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of July 10, 2003)
(PROPOSED FOR INDEFINITE CONTINUANCE)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

- 5b. 2002.1259DD (G. NELSON: (415) 558-6257)
1708 ANZA STREET - east side between Geary Boulevard and Anza Street, Lot 015 in Assessor's Block 1536 - Request for Discretionary Review and Mandatory Discretionary Review, under the Planning Commission's policy requiring review of residential demolitions, of Demolition Permit Application 2002.05.01.5442, proposing to demolish a two-story, two-family residence in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There are two residential structures on the lot proposed

to be demolished. The building proposed to be demolished under Demolition Permit Application 2002.05.01.5442 is located at the rear of the lot. The replacement project proposes the construction of a four-story, three-unit building.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of July 10, 2003)

(PROPOSED FOR INDEFINITE CONTINUANCE)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

5c. 2003.0345D

(G. NELSON: (415) 558-6257)

1708 ANZA STREET – east side between Geary Boulevard and Anza Street, Lot 015 in Assessor's Block 1536 - Request for Discretionary Review of Building Permit Application No. 2002.05.01.5442, proposing to construct a four-story, three-family dwelling with three off-street parking spaces, within an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There is a related proposal (Demolition Permit Applications 2002.05.01.4436 and 2002.05.01.5442) to demolish the two residential structures currently on the lot.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of July 10, 2003)

(PROPOSED FOR INDEFINITE CONTINUANCE)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Commission Comments/Questions

Commissioner Antonini:

- Last Monday night, Commissioners Sue Lee, Bill Lee, Amit Ghosh and he took part in a panel at St. John's Presbyterian Church. It was very well attended and there was a lot of interest from the neighborhood in having similar type events in various neighborhoods. He welcomes these events as an on going process on the Housing Element.

Commissioner Bradford Bell:

- She attended the Land Use Committee meeting with Director Green. She would like to have scheduled a review of the Planning Department's work plan. It is important for the Commission as well as staff to provide their input.

C. DIRECTOR'S REPORT

7. Director's Announcements

Re: Results of the Budget Process

- The Board included in it's budget the recommendations given by the Budget Analyst.
- A Planner V position was lost so personnel actions will have to be done.
- The department is still going through the process of trying to find a way to get the work done given the budget decisions that were made.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –

Land Use Committee meeting of July 24, 2003:

- Supervisor McGoldrick held a hearing to review the Planning Department's work plan for this new 2003/2004 fiscal year. It was Supervisor McGoldrick's intention "to assist the Full Board in establishing priorities for the Department as they adopt our Budget." Planning Staff present at the hearing included Director Green; Zoning Administrator Larry Badiner; and Amit Ghosh, Chief of Citywide Policy Planning to respond to questions about the priorities that the department has assigned to the various planning initiatives and projects currently undergoing review. Staff was joined by President Bradford-Bell who made a strong case for a collaborative effort between the Planning Commission and the Board of Supervisors in setting the priorities for the Department. The hearing was continued at the call of the chair, and there was discussion about the possibility of a joint hearing between the Board's Land Use Committee and the Planning Commission about reviewing and setting the priorities for the Planning Department.

Re: Coffee Stores and Drug stores

The committee also voted out to the Full Board for action on a unanimous vote Supervisor Gonzalez's legislation providing neighborhood noticing for new Retail Coffee Stores and drugstores in Neighborhood Commercial Districts. This had been recommended unanimously by this Commission on June 5.

Full Board of Supervisors Meeting of July 15:

Re: Secondary Units

The Full Board of Supervisors held a hearing on the appeal of the Department's determination that the Secondary Unit legislation is exempt from further environmental review. Single family homes are statutorily exempt from CEQA review according to a new state law. As far as multiple unit buildings are concerned, the department found the potential impact of the legislation on that type of housing stock to be minimal, so staff issued a General Rule Exemption from environmental review for that part of the legislation. The majority of the Board of Supervisors agreed with staff's determination and upheld the exemption on a 6-5 vote. (voting to uphold: Ammiano, Daly, Dufty, Gonzalez, Maxwell and Peskin.) Voting for the appeal: Hall, Ma, McGoldrick, Newsom and Sandoval). The legislation will be considered by the Commission on August 21, 2003.

Re: 270 – 284 Valencia Street CU Appeal

The Board heard the appeal of the CU authorization of the 28-unit residential project at 270-284 Valencia Street. This project had been approved unanimously by this Commission and had received extensive neighborhood support. The project sponsor, Mr. Spears had voluntarily provided all 2-bedroom units as affordable units to respond to the community's desires for affordable family housing. This was appealed by a next door neighbor to the Board with the signatures of 5 supervisors. After a failed attempt to amend the project, the Board voted unanimously to uphold your CU authorization.

Re: Jackson Square SUD

To basically protect specialty retail and antique stores from conversion to other uses by subjecting applicants to a CU at the ground floor level. Passed unanimously by the Board.

Full Board of Supervisor's Meeting of July 22

40-50 Lansing Street – CU appeal of this 82-unit residential project.

3725 Buchanan Street – Appeal of a CU authorizing 8 panel antennas and related equipment on the roof of an existing building as part of Verizon's wireless telecommunications network. (Approved +4 -3: Antonini, Boyd, Hughes, and Sue Lee voted for and: Bell, Feldstein, and Bill Lee voted against) on May 1.

3537 19TH ST (19th Street PG&E transformer). Appeal of the CU to authorize six antennas and backup equipment located on the building's rooftop for AT&T wireless. Appealed by neighborhood signatures.

2026 Lombard Street - Negative Declaration appeal on the Lombard Motel filed with the Clerk of the board on July 14, 2003.

BOA - None

9. Rincon Hill Planning Overview and informational presentation. (GREEN)

SPEAKER(S):**Reed Bement – Rincon Hill Resident Association**

- He has lived in the area for over 10 years.
- He is here to ask the Commission to instruct staff to keep to their word.
- Comprehensive planning for the overall area is what is most important.
- That means planning for the whole neighborhood.
- This presentation is the first time that it has been presented to the Commission and to the public.
- Public input is very important in order to find out what the residents really need and want.

Ted Chiao

- He is a resident of this neighborhood.
- The Planning Commission/Department does seem to have a plan.
- It is important for the staff to communicate this information to the public.
- He has read articles in the newspapers stating otherwise.
- There are still details that he has concerns about: height/separation, rezoning, etc.

Terry Carlitz

- She is a homeowner in the Rincon Hill area.
- She would like to propose that until the department has had the proper input from the public, it would be wrong minded to approve any project that comes before the Commission in the near future.
- It is important to develop properly the next most desirable neighborhood.

Tim Tosta – Steffel, Levitt and Weiss

- When there is a zoning process, there is a degree of difficulty to plan it out.
- It is hard to keep the original idea and the original enthusiasm as a project or a planning process continues.

Howard Meadow – Rincon Hill Residents Association

- He has been a resident of Rincon Hill for about six years.
- He agrees with comments made by Mr. Amit Ghosh and Mr. David Alumbaugh.
- He expected development when he moved into the area.
- It is hard to see so much open space and have delays in development.
- He hopes that staff will keep to its word in the planning process of this area.

Ernestine Weiss

- She would not like "leap frog" meetings in the neighborhood. It is important to have all the meetings involve the public.
- There is a need for sufficient open space in the area.

Howard Strassner – Sierra Club

- It is important to cut down the number of cars. There are many parking structures that are two levels.

Jim Chappell – President SPUR

- He has been working on all the plans included in the presentation.
- There has been a tremendous amount of public input.
- He congratulated the Planning Department for this very informative and thorough presentation.
- The supply of housing must be increased.
- He asked the Commission to provide their help to get these plans moving along.

Theodore Brown

- He lives in Rincon Hill.
- There has been a lot of tough work done on this plan.
- He displayed maps of the Rincon Hill area and how the presentation given by staff would apply to the project he currently has in the area.

Bob Meyers – Architect and City Planning Consultant

- He serves on the Tranbay Citizen's Advisory Committee
- Any zoning is challenging and takes time.
- He displayed maps of the Rincon Hill area.
- Having open space is great but there are too many homeless people and crime activity.

Jill Howard - Realtor

- She asked the Commission to really consider the height limitation.
- She feels very strongly that there is a need for housing.
- Although there are many projects being proposed now, there are not that many units for families. Housing for families is very important.

Alice Chung

- She is a resident of Rincon Hill.
- She encourages the Planning Commission to support staff's presentation.
- There are discrepancies between the Planning Department and the Redevelopment Agency.
- She also encouraged the Commission not to approve spot rezoning.

Bobby Carter

- It seems that there is a tunnel situation here.
- She tried to get data and could not find out what was being proposed for the area.
- It would be short sighted to move forward.
- She was amazed to see the areas of traffic, wind, light and the impact that there will be with raising the height on buildings.
- The data is somewhat incomplete and needs to be researched further.

Sue Hestor

- She did not hear any information from staff on their June 19, 2003 recommendation.
 - There seems to be some contradictions from staff.
 - There is a staff recommendation to increase staff and building separation, etc. yet there is no EIR for all this.
 - There is a lot at stake in this area.
 - She recommended that staff not talk about blocks, but instead talk about feet.
- ACTION: Informational only. No action required.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

RE: Golden Gate Park Concourse Authority Projects – Certification of Final Environmental Impact Report

John Carter

- He is here in support of certifying the Final Environmental Impact Report
- This project is very important to students and life-long artist lovers.
- The parking facilities will serve many of the museums and facilities in Golden Gate Park.
- He is pleased that the Concourse will be making this project come true.

Jan Stensland – Department of the Environment

- The underground garage will enhance the area.
- The garage will use green technologies that will add benefits to the music concourse.
- This will become one of the “green” garages in the country.
- Removing surface parking spaces and landscaping the area will add about 5 acres of green space to the park.
- The landscape will filter rainwater and flow to lakes.
- The underground garage will filter fumes.
- She urges the Commission to support the project.

Mary Ann Miller – San Francisco Tomorrow

- The project has changed since the EIR hearings.
- There were Phases I and II, so it is difficult to certify an EIR when the project description has changed.
- It is difficult to certify the EIR because it does not apply to Proposition J.
- The Commission does not have approval rights for this project.
- The demolition of the pedestrian tunnels has not been discussed in the document.

Julie Cheever

- She lives in the Richmond District.
- She sees the need to have access to the museums.
- She is concerned about the affect on traffic for the Richmond District.
- Predictions of future traffic seem to be very uncertain.
- She urges the Commission to impose conditions on this EIR and keep a watchful eye on the traffic.

Terry Milne

- He has not studied the EIR completely but he is concerned about the reforestation of this proposal.
- He would like to have the section on reforestation removed from the EIR because there should be further study done.
- There is going to be new improvements everywhere.

Chris Duderstadt – San Francisco Tomorrow

- Does this EIR accurately recognize the environmental impacts and then provide solutions?
- Architectural Heritage, Landmark Board, etc. have concerns that further studies should be done.
- The garage has not defined how the tunnels will be replaced.
- It is important to protect the safety of pedestrians.

Ron Miguel - PAR

- He is intimately involved and aware of everything that is happening in this area.
- The EIR is accurate, comprehensive and complete.
- He has also read the comments and responses, which is one of the largest he has ever read.
- He urges the Commission to certify it.

Nancy Conner – Concourse Authority

- She strongly encourages the Commission to certify this EIR.
- It has been prepared independently and the subject of a very through review.
- Since the authority was formed there has been extensive community involvement.
- They have worked hard to design a garage that would have the least impact to the park.

Alyce Brown – FDR Demo Club

- The garage will provide an easier access to the park and will have very little impact on the park.

- She is always against demolishing historic sites.
- She encourages the Commission to certify the EIR.

Sandra Treacy – North Park Neighbors Association

- This garage is very important to the park.
- The neighborhood association has read the comments and responses very closely.
- The responses indicate that there will not be any negative impact to the neighborhood. She certainly hopes that this would be the case.
- Her association hired a traffic consultant and feels that there will be a negative impact to the park and the neighborhood.

Jim Chappell - SPUR

- The June SPUR newsletter is related to Golden Gate Park.
- Cultures change, cities change, and parks change.
- This EIR is complete and complies with CEQA.
- The concourse plan suggests a shuttle that will take thousands of people out of their cars.

Duncan Kennedy – North Park Neighbors Association

- He is member of the North Park Neighborhood Association.
- The neighborhood trees will be impacted.
- Neighborhood appearance and its operation should receive neighborhood comments.

Stephen Willis – Alliance for Golden Gate Park

- There were important facilities that were cut out in Phase II of this project.
- This is an incomplete vision for a "dirt cheap" garage.
- He requests that the Commission not approve this EIR and a comprehensive EIR be completed.

Elizabeth Thompson – North Park Neighbors Association

- She lives on 10th Avenue.
- She chose this neighborhood to live because it's an ideal place to raise a family being so close to Golden Gate Park.
- She supports the improvements planned in Golden Gate Park.
- She believes that the EIR does not adequately address the impacts on the neighborhood.
- This issue of dealing with the impact on traffic is being ignored.
- She feels that there will still be people looking for parking throughout the neighborhood wanting to park for free.

Howard Strassner – Sierra Club

- The Sierra Club did not take a stand on Prop J. Since it was passed, they have been working very hard on a pedestrian OASIS.
- He urges the Commission not to certify the EIR.
- There should be a monitor to catch the impacts on 9th Avenue.
- The pedestrian OASIS is not shown in the EIR. It is important to deal with this.

Michelle Stratton – PAR, North Park Neighbors Association

- She lives in the Richmond District.
- There are still concerns for the residents on the Richmond side.
- She endorses and supports the comments of the North Park Neighbors.
- Although the EIR states that there will not be negative impacts to the neighbors, it is really hard to believe.
- She urges the Commission to certify the EIR with a condition that parking impacts will be minimized.

Jim Wunderman – San Francisco Chamber of Commerce

- The San Francisco Chamber of Commerce endorses this project because it is very thorough.
- He urges the Commission to certify the EIR.

Sonia Melara

- She is a resident of the San Francisco Mission District.
- She feels that it is about time to move on.
- Accessibility to communities that are left behind is a very important issue.
- The parking lot is essential when there are children involved.
- It is very difficult to get on a bus with two children especially if they are disabled.

- She urges the Commission to approve this EIR and it is time to move forward.

Gary Freund

- There is a need to have access to all the museums in Golden Gate Park.
- It is definitely time to move on.
- Parking is very difficult on Sundays because JFK Drive closes.
- Proposition J was passed five years ago so it's time to move on.

Katherine Howard – American Society of Landscape Architects

- The trees were planted in 1902 when the band shell was opened.
- The leaves on the trees are important to provide shade.
- Removal of the trees would leave a hole in the canopy.
- If the trees are removed, instead of having a pleasant environment there would only be a "dust bowl."

Carolyn Blair – San Francisco Tree Council, Member of Urban Forest

- She asks the Commission to reject the EIR because there is not enough information on traffic impacts, etc.

Joan Downey – CVIA and Rescue MUNI

- The park shuttle is the key to the transit plan.
- There is not enough ridership to fund the shuttle.
- There is not enough information regarding the "G" line of MUNI.
- There is not enough information on how there will be a linkage with current MUNI lines.
- She urges the Commission to reject this EIR.

Jim Iversen

- He is extremely concerned because he feels it is totally fraudulent.
- There will be a negative impact on the traffic.
- There is not enough information regarding private and public money.

Harry Parker – Director of the Fine Arts Museums

- This has been a very long process. It has been the subject of public discussion for about 15 years.
- They are committed with working with the neighborhood. He realizes that there will be disruption, but they will be working hard to mitigate it.
- He urges the Commission to certify this EIR.

Michael Burke – Music Concourse Community

- The Responses and Comments document has about 800 pages and is the largest he has ever seen. All of these responses and comments have been dealt with.
- The project description has not changed at all.
- The pedestrian tunnels and their significance have been address in this document.
- The circulation pattern was a concern by the Landmarks Advisory Board and not necessarily the tunnel.
- There will be tremendous opportunity for the public to comment on the design.

Gloria Tulanowski

- She has lived in the City for many years.
- Parking has always been a problem.
- This project is encouraging automobiles.
- She has met a lot of people from various places and means that take MUNI.
- A 10,000-car garage is not important.

E. REGULAR CALENDAR

10. 2001.911E (J. NAVARRETE: (415) 558-5975)
GOLDEN GATE PARK CONCOURSE AUTHORITY PROJECTS - Certification of the Final Environmental Impact Report (FEIR) - The site is between the California Academy of Sciences and the M.H. de Young Museum in Golden Gate Park, called the Music Concourse area. In 1998, voters of San Francisco approved Proposition J, Golden Gate Park Revitalization Act, to improve the landscape and pedestrian environment of

the Music Concourse area. Phase I of the proposed project would include an underground parking facility of 800 to 1,000 spaces at the Music Concourse, surface improvements, and transportation improvements in the Concourse area, and throughout Golden Gate Park, as described in Proposition J. Proposition J requires removal of surface parking spaces from the Concourse area, and in locations throughout the Park, equivalent to the number of spaces provided in the new underground parking facility upon completion of the parking facility. In addition to the underground parking facility, the Transportation Implementation Plan includes the following elements: intra-park shuttle, cultural shuttle, traffic calming, parking management, bicycle and pedestrian improvements, road closures, and MUNI service improvements. Phase II of the project would entail construction of an Underground Through Street connecting Fulton Street to Middle Drive East, which would allow for through traffic to be restricted or eliminated from Tea Garden Drive and Academy Drive. The proposed underground roadway would ramp down at Eighth Avenue at Kennedy Drive and would extend beneath the east end of the Concourse and alongside the east side of the California Academy of Sciences, where it would ramp up to Middle Drive East. This underground street would not provide access into the parking garage and would be intended to reduce cross-park vehicular traffic through the Music Concourse. The project site is within the P (Public Use) zoning district and within an OS (Open Space) Height and Bulk District; Assessor's Block 1700, Lot 1.

Since publication of the Draft EIR, the Executive Director of the Project Sponsor, Concourse Authority, notified the Planning Department that the preferred project as analyzed in the DEIR has been revised. The project, as revised, consists of Phase I, the Underground Parking Facility, and the Transportation Improvement Measures ("TIP"), both as analyzed as part of the preferred project in the DEIR. Phase II, the Underground Through Street, has been severed from the project and removed from further consideration. As a consequence, the preferred project, as revised, is Phase I and the TIP elements only. This project was identified in the DEIR as Alternative B. With the severance of Phase II, the project, as revised, has no physical environmental impact on the historic character of the Rhododendron Dell, an area of Golden Gate Park considered individually eligible for listing on the California Register of Historical Resources. As a result, the project, as revised, has eliminated the significant unavoidable impact to this resource that was identified in the DEIR.

Preliminary Recommendation: Certify the EIR as a Final EIR. Please note the public review period for the DEIR ended at 5:00 pm, February 5, 2003. **Public hearing has been closed.**

SPEAKER(S): None

ACTION: Intent to not Certify EIR. Final language July 31, 2003.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

11. 2003.0446Q (J. MILLER: (415) 558-6344)
400 - 410 VALLEJO STREET - northeast corner at Montgomery Street, Lot 11 in Assessor's Block 133 - Public hearing to determine consistency with the General Plan of a proposed six-unit Condominium-Conversion Subdivision, in an RH-3 (House, Three-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: No Recommendation due to insufficient information

SPEAKER(S):

Re: *Continuance*

David Gellman

- He would like to request a continuance of this project because the information required for this project is not complete.

Re: Merits of the Project

David Gellman

- He apologized for the typographical error regarding the number of units.
- It is very difficult to process this information without having all the pertinent information.
- He hopes that the lateness of the information to the Commission will not impede their decision that this project is consistent with the general plan.

ACTION: Hearing Held. Item Continued to September 25, 2003. Public Hearing Closed.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

12. 2003.0606C (M. SNYDER: (415) 575-6891)
2111 MISSION STREET - southeast corner of Mission and 17th Streets; Lot 091 in Assessor's Block 3575 - Request for Conditional Use Authorization under Planning Code Sections 712.65 and 790.124, to establish a trade shop, aka The Blue Studio, on the fourth floor of a four-story building, within an NC-3 (Moderate-Scale Neighborhood Commercial Use) District, and a 65-X Height and Bulk District.
Preliminary Recommendation: Approval.

SPEAKER(S):

(+) Michael Tralenger – Project Sponsor

- He is here to answer any questions.

ACTION: Approved with the following condition: Project Sponsor shall insure that the 4th floor has direct ventilation to the exterior and no ventilation to other parts of the building.

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

MOTION: 16613

13. 2002.0430C (J. IONIN: (415) 558-6309)
378 10TH AVENUE, A.K.A. 389 9TH AVENUE, AND A.K.A. 4500 GEARY BOULEVARD - northwest corner of 9th Avenue and Geary Boulevard; Lot 035 in Assessor's Block 1441 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install a total of six antennas and related equipment for AT&T Wireless, on the roof of an existing three-story, 53-foot tall, industrial structure within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1 as it is both a co-location site and an industrial building in an NC-3 District.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S):

(+) Bill Stevens – AT&T Wireless Services

- He is available for questions.
- He displayed the site plans and some of the justification materials.

(-) Megan Sullivan

- This is an undesirable and unnecessary antenna installation.
- The Richmond District residents are opposed to this installation.
- AT&T Wireless fails to prove necessity for these antennas.

(-) Betty Chiao

- She has lived on 11th Avenue for 13 years.
- She lives one block from the project site and is opposed to the installation of the antennas because of health concerns.

- There are schools, libraries and churches near the proposed site. This could be dangerous to the residents.
- She used to be an AT&T client and never had any problems with her cell phone so additional antennas are not needed.

(-) Gloria Tulenowskly

- She is opposed to this project because there are just too many cell phones.

(-) Chuck Chan

- It was anticipated that by June 30, 1998 a telecommunications facility master plan would be implemented into the communities facilities element of the City's General Plan. It is five years overdue.
- The Planning Department is allowing antennas in buildings that do not meet the FCC.
- The Planning Department does not do the thorough research needed to measure RF emissions and does not consider the usage of multiple fix transmitters that could exceed RF limits.

(-) Ken Chan

- On July 10, 2003 there were many people attending a Planning Commission hearing and the hearing was cancelled at the last minute.
- They have obtained thousands of signatures of people who are against AT&T installing antennas in the neighborhood.
- The supply of antennas is sufficient.

(-) Benny Lew

- The reason he opposes this antenna is that there are over 2,600 signatures of people who oppose this project.
- AT&T chose summertime for this hearing and many people in the neighborhood have gone on vacation so they are not aware of this project.

ACTION: Approved with Conditions: (Third party to determine removal of antennae site).
 AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
 NAYES: Feldstein
 ABSENT: Boyd
 MOTION: 16614

14. 2002.1144C (G. NELSON: (415) 558-6257)
821 LA PLAYA (AKA 800 GREAT HIGHWAY) - between Great Highway and La Playa at the intersection of Cabrillo Street; Lot 004 in Assessor's Block 1692 - Request for Conditional Use authorization pursuant to Section 710.83, of the Planning Code to install two cellular antennas and one related equipment cabinet on the roof of a commercial structure (Wise Surf Shop), within an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. The proposed antennas would be within the existing parapet and penthouse wall on the roof of the structure, and the related equipment would be located on the roof below the level of the parapet. Neither the antennas nor the equipment would be visible from below or any neighboring property. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 6 (limited preference site) as it is located in an NC-1 District.
 Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) Jennifer Donnelly – Representing Verizon Wireless

- This site is needed to cover areas of the Cliff House and Golden Gate Park.
- This site is necessary because there are many dropped calls and no service in the area.
- The equipment will be located on the roof below the parapet.
- There was a community meeting and no one from the community attended the meeting. There were more than 300 notices sent out.

(-) Diane Drosnes – Ocean Beach Homeowners Condo Association

- She only learned about this project recently. No one in her association received the notice that Verizon supposedly sent out.
- She only received information when the Planning Department sent out notices.
- She sees no need for these antennas because there are enough satisfied customers in the area.

(-) Gerard Serchio

- He operates the OB1 net which allows Ocean Beach to have access to the internet.
- He has written to Verizon on short notice because he just recently found out about this.
- He thinks that Verizon was intentionally misleading.
- Verizon does not have exposure from the roof to Golden Gate Park.
- He tried to get information from Verizon and did not receive any help from them. He wanted an assessment to see if their system would interfere with his operation system.

ACTION: Intent to Disapprove. Final Language: August 21, 2003.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

NOTE: Director Green exited the room at the call of this item.

15. 2003.0223C (M. WOODS: (415) 558-6315)

1275 FELL STREET - southeast corner of Fell and Broderick Streets, extending to Oak Street; Lot 11, in Assessor's Block 1215 - Request for Conditional Use authorization under Sections 271, 303, 304, 711.11, 711.21 and 711.95 of the Planning Code to allow a Planned Unit Development on an approximately 50,000 square-foot lot for the construction of a 34 to 56 foot high mixed-use development consisting of up to 95 dwelling units, approximately 16,400 square feet of financial services and commercial/retail spaces (including a new approximately 5,700 square-foot Bank of America branch building and an approximately 10,000 square-foot Falletti grocery store/cafe) and up to 162 independently accessible off-street parking spaces (including after-hours community parking), in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X and 65-A Height and Bulk Districts, including exceptions to the bulk limit, rear yard, and dwelling unit exposure requirements of the Planning Code.

Preliminary Recommendation: Approval with conditions.

(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S):**(+) Jim Reuben – Representing Project Sponsor**

- This project has a bit of an unusual provenance because it started as a neighborhood effort to get back the store that the neighborhood lost when Emerald Fund started what is now an Albertson's.

- There are an unusual number of neighborhood associations that have jurisdiction over this project.

- The Housing Action Coalition supports this project.

(+) Bob Malon – Project Sponsor

- He has been developing in the City for over 20 years.

- The Falletti market used to be at Petrini plaza which is now an Albertson's store.

- The neighborhood wanted to get a new location to move the Falletti market.

- There are a number of neighborhood organization who have shown their support.

(+) Steven Simon – Height Divisadero Neighbors and Merchants Association

- In Section A, Section 6 - he would like to change that the project sponsor be required to make community parking available after hours.

- In Section C, Item 1 - he would like to specify that if the owners and renters don't use up all the parking, he would like it to be available for rental by the neighbors.

- In Section C, Item 5 - Representatives of the neighborhoods should be included in the meetings to discuss traffic mitigation.

- In Section G, Item 1 – Signage – he would like the signage to be approved by the neighborhood organizations.
- In Section I, Part 3 – project representatives should meet with neighborhood representatives on a regular basis.

- Limit Saturday construction hours to start at 10:00 a.m.

- The neighborhood would like to have these units named as condos.

(+) Sue Valentine – President of the Alamo Square Neighborhood Association

- Any support for this project is the result of their desire for the neighborhood to have a grocery store.

- Much of the opposition to this project is because of a project made by the developer because of it's cheap appearance.

- She would like to have proof of quality construction conditions so that the windows would have trims and recess glazing. She does not want vinyl windows. The display windows should not be covered.

- Not more than 25% of the windows should be covered with advertisements.

- She would also like to limit the construction hours.

- No yellow loading zone curb adjacent to the project.

(+/-) Cynthia Marcucci – Haight Divisadero Neighbors and Merchants Association

- One of the neighbors involved in putting this deal together is a real estate broker who then served as a paid consultant to this project and stands to make a great deal of money from it's success.

- The developers refused to enter into an agreement with the neighborhood association.

- In order to preserve the character of the neighborhood, there should be no national or regional franchise businesses be put in the complex.

- The developers have given a very narrow list that does not protect the small businesses in the neighborhood.

- She asked to have the square footage reduced for liquor sales.

- They do not feel that the developers have worked with the neighborhood association in good faith.

(+/-) Margaret Robbins – Safe Passage

- She has a concern about pedestrian and bicycle safety.

- She is concerned with the heavy traffic in the neighborhood.

- Although the neighborhood is in support of a mixed use project, there are intersections that are very dangerous.

(+/-) Bob Spjut – Alamo Square Neighborhood Association

- The units be no less than 700 square feet.

- The project should contribute to the stability and beauty of the neighborhood.

- The tenants and owners of the units should be people who move in and stay in the neighborhood for a long time.

(+) Rick Osmon

- He spoke to Tick Falletti and suggested they put out a petition to see if the neighborhood was interested in keeping Falletti Foods in the neighborhood. They received many signatures.

- This project will allow us to keep a very popular market, and allow residential units and parking for the neighborhood.

(+) Tick Falletti

- He has been in the food market for several years.

- The neighborhood did come to them asking them to stay in the neighborhood.

- They have put together a new project which has a grocery store--upscale and high quality. It will have an open cafe and courtyard.

- He is committed to not having hard liquor--only beer and wine, and cutting the square footage.

(+) Dominic Falletti

- He is trying to make something for everyone, even though this is not always easy.

(+) Jamie Falletti

- He read a letter from Ann Marie Miloslavich who is in support of the project.
- This will be a small neighborhood oriented market.

(+) Alan Miloslavich

- He started working at the market as a bagger.
- This new plan is an exciting project and will bring a true grocer back to the City.
- The Falletti's have always given a lot to the community.

(+) Toby Levy – Project Architect

- Part of the design came out of community meetings.
- One of the primary concerns was to continue the retail façade.

ACTION:

Approved as Amended: including:

- 1) reduction to the number of residential dwelling units to 89;
- 2) the project's parking spaces will be contained within two levels, one at grade, with egress onto Oak Street (designated as exiting only) shall not be permitted from the retail parking level during the hours of 6:00 a.m. to 9:00 a.m.;
- 3) Section C(5) shall include the following language: *The Project Sponsor and construction contractor(s) shall meet with representatives of the neighborhood groups, the Traffic Engineering Division of the Department of Parking and Traffic, the Department of Public Works, the Fire Department, MUNI's Street Operation and Special Events office and the Planning Department to determine feasible traffic mitigation measures to reduce traffic congestion and pedestrian circulation impacts during construction of the Project and to ensure that construction activities do not impact MUNI bus stops or routes in the vicinity;*
- 4) Section C(6) shall include the following language: *Construction on Saturday shall not commence before 9:00 a.m. and shall be completed by 5:00 p.m. There shall be no construction work on Sundays;*
- 5) Section D1(e) was reworded to state the following: *All BMR units shall be rented or sold to qualifying households in accordance with the procedures established in the Procedures Manual for a period of at least 50 years, commencing from the date of issuance of the first Certificate of Temporary Occupancy;*
- 6) add Section E(4) which shall state the following: *Parking and open space on the Broderick Street side shall be of patterned paving and screened (which could include landscaping or trellis) from the seating area;*
- 7) add Section G(2) which shall state the following: *The Project Sponsor shall work with representatives of neighborhood groups on reviewing signage although they shall not have final approval;*
- 8) insert the Board of Supervisors in Section H(1) and H(2);
- 9) Section I(3) shall be revised to read the following: *The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to neighbors related to the operation of this Project, and to meet with the neighbors on a regular basis until construction is completed. The name and telephone number of the community liaison shall be reported to the Zoning Administrator;*
- 10) Section J shall be added which reads like the following:

J. *Additional Conditions Pursuant to Project Sponsor's Agreement with Neighborhood Groups. Neighborhood groups, when referenced below, shall consist of the following:*

- i) Alamo Square Neighborhood Association;
- ii) Buena Vista North Neighborhood Association;
- iii) Haight Divisadero Neighbors and Merchants Association;
- iv) North of Panhandle Association, and
- v) Planning Association for Divisadero Street.

- (1) A notice shall be recorded against the property that the owner of the property in perpetuity shall notify the Neighborhood Groups, prior to submitting application, of any proposed changes to the Project which would require a modification to the Conditional Use authorization for the Project requiring Planning Department approval.
- (2) The Project Sponsor has agreed that the Falletti family or an affiliated company of the family shall be a partner in the Project and shall create a neighborhood grocery market, similar to the original Falletti's Market at Fulton and Masonic Streets.
- (3) The Project Sponsor has agreed to designate up to 2,000 square feet of the commercial/grocery store floor area for liquor sales, specifically, beer and wine shall be allowed for off-sale.
- (4) Display windows shall not be covered and no more than 25 percent of the retail store front will be covered with advertisements. No refrigeration appliances or other large objects shall block the display windows.
- (5) The Project Sponsor shall apply for a condominium subdivision map for the Project.
- (6) The Project will have an on-site resident manager. The resident manager's name and contact information shall be provided to the Neighborhood Groups.
- (7) Daily time for start of construction shall comply with City ordinances (Monday through Friday at 7:30 a.m.; Saturday at 9:00 a.m. and no construction work on Sunday.).
- (8) The Project Sponsor has agreed that good faith efforts will be used to develop a security and traffic safety plan with the Neighborhood Groups.
- (9) The Project Sponsor has agreed to contribute up to \$2,500.00 toward the actual costs incurred to relocate the tree situated at the southwest corner of the existing Bank of America branch.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd
MOTION: 16615

F. DISCRETIONARY REVIEW HEARING

At approximately **6:11 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

Item 16 was taken out of order and followed item 11.

16. 2003.0588D (G. CABREROS: (415) 558-6169)
1532-1534 COLE STREET - east side of the street and south of the intersection of Cole and Carmel Streets, Lot 016 in Assessor's Block 1293 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.12.20.4027 proposing to demolish a two-story, two-unit dwelling in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk District. Construction of a two-story, two-unit building with two parking spaces is also proposed under a separate permit.
Preliminary Recommendation: Do not take Discretionary Review and approve demolition.
(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S):

Jeremy Paul – Representing Project Sponsor

- This is a great proposal for a replacement house.
- There were a lot of problems that were not properly solved.
- He gave a PowerPoint presentation regarding the project showing how there are large homes in the neighborhood.
- This project is fully code compliant, there will be no significant increase in building size, quality architecture will be used, and the project is popular with neighbors. All the neighbors are happy that the current house will be demolished.
- This property is not legally two units.
- This is an ideal project for replacement.

ACTION: Did not take Discretionary Review and approve the demolition.

AYES: Antonini, Bradford Bell, S. Lee, W. Lee

NAYES: Feldstein and Hughes

ABSENT: Boyd

17. 2003.0227D (G. CABREROS: (415) 558-6169)
542 - 8TH AVENUE - east side between Anza and Balboa Streets, Lot 040 in Assessor's Block 1550 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.12.09.3108 proposing to demolish the existing three-story, single-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. A four-story, two-unit replacement building with two parking spaces is proposed under a separate permit.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

(+) Tony Kim – Project Sponsor

- In 99 years a total of four permits were issued. Three of those permits were for cosmetic work, and the other for plumbing work.
- There is a notice of violation stating that this building is structurally unsafe.
- The cost analysis and the repair cost analysis prove this violation.
- All adjustments have been made in accordance with this violation.
- The building has been vacant because of its poor condition.
- This building is not habitable and is over 100 years old.
- The replacement building fits the neighborhood and will provide two units of sound housing.

ACTION: Took Discretionary Review and denied the demolition

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee

NAYES: W. Lee

ABSENT: Boyd

18. 2003.0412D (K. McGEE: (415) 558-6367)
572 SAN JOSE AVENUE - west side between 27th and Duncan Streets, Lot 003 in Assessor's Block 6595 - Request for Discretionary Review of Building Permit Application No. 2002.11.04.0682 proposing to add a horizontal and vertical addition to a duplex and to add two parking spaces. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.
 (Continued from Regular Meeting of June 26, 2003)

SPEAKER(S):

(-) Sue Hestor – Representing Discretionary Review Applicant

- This project is across the rear of St. Luke's Hospital.
- The neighborhood is a working class neighborhood.
- The project will dislocate the tenant until the completion of the project.
- There is not a very well thought out solution since the project will be jacked up.
- There is a waste of low-income housing.
- The tenant already pays about 80% of his salary to rent.
- She is asking to not allow this much demolition of the interior, and require a rational alteration to allow the tenant to stay in place. The tenant will not be able to come back because the rent will be much, much higher.

(-) Jose Morales

- He has been living in the property since 1982.
- Because of rent control he has been able to live there affordably with his family.
- He is a senior citizen and with both his Social Security check and income as a tennis instructor, he is able to pay his rent.
- He is asking the Commission to have consideration of his situation.

(-) Lora Traveler – Park Merced Presidents Organization

- The issue here is fairness. She is deeply concerned that if this project is approved it will result in both displacement and an affordable rent unit being eliminated.
- This will cause economical and emotional distress.
- The Discretionary Review requestor's situation does not permit him to move to another location or pay higher rent.

(-) Chester Zemany – SF Tenants Union

- He has known the tenant for many years.
- It is a terrible thing to displace an elderly person.
- After being involved in this case, he believes that the real reason for this is to increase the rent of a rent controlled unit.

(-) Steven Shubert

- He urges the Commission to deny the permit.
- This is a displacement of a senior citizen on an extremely limited income who has been active in the community as well as a valued neighbor.
- Homelessness is a real concern right now.
- There are ways that this project could be done.
- Ms. Hestor has come up with real alternatives.

(-) Sam Dodge

- He has known Mr. Morales for many years.
- It breaks his hear to force this person out of the community.
- This building is very historically significant so there are ways to preserve the building.
- Mr. Morales was involved in fighting for the rights of a senior citizen in a similar situation in the Western Addition so it is ironic that he is here fighting for Mr. Morales now.

(-) Ted Gullicksen – San Francisco Tenants Union

- This is a loss for diversity, and senior citizens are very vulnerable.

- A senior citizen will lose his home.
- Many tenants do not return after such evictions.
- Granting this approval will be the decision to evict Mr. Morales.
- (-) Bob Coleman – Golden Gateway Tenants Association**
- This case caught his attention because of the great contributions of Mr. Morales.
- He is proud with what Ms. Hestor has done on the case.
- (-) Leon Low**
- He is here to speak on behalf of Mr. Morales.
- The point here is that Mr. Morales is close to the edge. It is just about dollars and cents.
- (+) Ara Tehlirian – Project Sponsor**
- He purchased this property a few years ago but was not living there. He now wants to move back to San Francisco and live in this property with his wife and child.
- Mr. Morales has the right to claim financial hardship.
- He is willing to do everything that is required of him as a landlord.
- Everyone who has spoken and are in support of taking Discretionary Review do not live in the neighborhood.
- He urged the Commission to not delay this project further.
- (+) Charles Ng – Project Designer/Contractor – Best Design Construction**
- The project sponsor has no intention of evicting Mr. Morales.
- This project is an alteration and not a demolition.
- The project will provide better conditions for the tenants and will provide parking.
- The building has a brick foundation so there is a lot of structural work that needs to be done.
- He urges the Commission to approve the project as proposed.
- (-) Miguel Williams**
- The reason he opposes this project is the issue of affordable housing.
- There is nothing enforceable to evict the tenant.
- There will be a curb cut, which will make it not pedestrian friendly.
- He urges the Commission to oppose this project.

ACTION: Hearing held. Public hearing closed. Item continued to October 16, 2003

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

19. 2003.0183D (G. NELSON: (415) 558-6257)
2477-2479 SUTTER STREET - south side between Broderick and Divisadero Streets; lot 022 in Assessor's Block 1076 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions of Demolition Permit Application No. 2002.08.13.3876, proposing the demolition of a two-story two-family dwelling within an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story three-family dwelling with three off-street parking spaces.
 Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.
 (Continued from Regular Meeting of May 22, 2003)

SPEAKER(S):

(+) David Silverman – Project Sponsor

- Staff supports the analysis of this demolition.
- The replacement unit will have three off street parking spaces.
- The new project will be a harmonious addition to the City.
- The proposed units will be larger than the existing units, making them more suitable for families.
- The permit should be approved and Discretionary Review not taken.

(-) Gloria Tulanowsky

- Mr. Williams is an attorney who works in Oakland and is very respected.
- She believes that this proposal is not in order and has to be looked into more thoroughly.

ACTION: Hearing held and public comment closed. Item continued to September 18, 2003.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

- 20a. 2002.1171DV (M. WOODS: (415) 558-6315)
2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2002.09.04.5572S, proposing to reconfigure the existing two-unit building to a single-family configuration with a new small auxiliary unit at the garage level in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and disapprove the proposed reconfiguration of units.
(Continued from Regular Meeting of June 26, 2003)

SPEAKER(S):

(+) Lou Blazej

- The public benefits of this project are: 1) the building will remain as a two-unit building; 2) the reconfigured replacement unit will likely be more affordable than the existing units; 3) The original historic interior will be preserved and restored; 4) the building will be returned to its original single-family configuration; 5) the exterior front façade will be restored to reflect its original Victorian architectural style and integrity--in keeping with neighborhood character; 6) The building will undergo seismic upgrade and updating of plumbing, electrical and heating systems; 7) approximately 1,000 square feet of new residential space will be created, consequently expanding San Francisco's housing resources.

ACTION: Took Discretionary Review and approve the project per the amended plans with further amendments that include the addition of a window in the bathroom above the shower and a window in the light well.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

- 20b. 2002.1171DV (M. WOODS: (415) 558-6315)
2312 WEBSTER STREET - east side between Washington and Jackson Streets; Lot 22 in Assessor's Block 604 - Rear yard and non-complying structure Variances sought: Approximately fifty percent of the rear building wall of the lower two floors of the existing three-story over garage, two-unit building is within one foot of the rear lot line and the existing rear exit stairs are less than two feet from the rear lot line, thus making the building non-complying. The proposal is (1) to expand the garage level such that the entire garage level is within one foot of the rear lot line; (2) to rebuild the rear exit stairs in the southeast corner with one-hour fire rated walls up to the third floor level; and (3) to construct new fire escape stairs in the northeast corner with one-hour fire rated walls at the fourth floor level. The subject property is within an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
(Continued from Regular Meeting of June 26, 2003)

SPEAKER(S): Same as those listed for Item 20a.

ACTION: Zoning Administrator closed public hearing and granted the variances.

21. 2003.0195D (R. CRAWFORD: (415) 558-6358)
1 PALO ALTO DRIVE (AKA 1 AVANZADA; AKA 250 PALO ALTO) - Lot 003 in Assessor's Block 2724 - Staff initiated Discretionary Review of Building Permit Application 9927276 for the voluntary seismic retrofit of Sutro Tower pursuant to Planning Code Section 306.9 requiring mandatory Discretionary Review of all Building Permit Applications for the Sutro Tower site. This project is within the RH-1, Residential House, One Family District and within a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and Approval with Conditions.
 (Continued from Regular Meeting of May 22, 2003)

SPEAKER(S):

(+) **Gene Zastrow – General Manager of Sutro Tower, Inc.**

- They have agreed with the stipulations regarding satisfy the concerns of the neighborhood association.

(+) **Siu Ling Chen**

- Through the efforts of Gene Asros, this is a momentous occasion for this neighborhood.

- Mr. Asros and the neighborhood association have worked hard together to work on these agreements. The understanding is that even though these are stipulations rather than agreements, they are binding to both Sutro Tower and the neighborhood and especially important is the 10th item which addresses the Wind Vortex shutting analysis. The neighborhood association is happy with this stipulation.

ACTION: Took Discretionary Review and approve staff's recommendations.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 11:16 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 4, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 416

(Overflow in Room 421)

City Hall, 1 Dr. Carlton B. Goodlett Place

Monday, July 21, 2003

3:00 PM

DOCUMENTS DEPT.

SEP 11 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Kevin Hughes, Lisa Feldstein,
William L. Lee

COMMISSIONERS ABSENT: Edgar E. Boyd and Sue Lee

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 3:20 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner - Zoning Administrator; Susan
Cleveland-Knowles - Deputy City Attorney; Amit Ghosh; David Alumbagh; Teresa Ojeda; Nora Priego –
Transcription Secretary; Linda Avery - Commission Secretary

A. SPECIAL CALENDAR

2000.465M

(T. OJEDA: (415) 558-6251)

HOUSING ELEMENT OF THE GENERAL PLAN - Continued public hearing on the proposed update and amendments to the *General Plan* put forth in the *Housing Element Final Draft for Public Review* released February 10, 2003. Proposed revisions will update and amend the *Residence Element* adopted in 1990 and include an assessment of housing needs, new policies to increase housing production such as higher residential densities along appropriate transit corridors and downtown neighborhoods; encouragement of housing development in neighborhood commercial districts; reconsideration of residential parking requirements; and policies supporting construction of new family housing. *The Housing Element Final Draft for Public Review* incorporated modifications based on comments and other feedback received by the Planning Department on the first draft published in August 2002.

Preliminary Recommendation: No Action Requested.

(First Public hearing held on May 1, 2003; continued to second public hearing held on June 5, 2003.)

(Continued from Regular Meeting of June 12, 2003)

SPEAKER(S):

Dave Bishol – Westwood Highlands Organization

- He submitted a letter from the West of Twin Peaks who is against the proposed Housing Element.

- This document is fictitious.

- He asked the Commission to reject this document.

John Alley

- He lives in an SRO hotel.
- He asked the Commission to pass this Housing Element because people need affordable housing.

John Lucas

- He lives in an SRO hotel.
- He hopes that the Commission will pass the Housing Element.

Phillip Melton

- He lives in an SRO hotel.
- His life is continually threatened because of his living conditions.
- He has been turned down for loans to purchase a house.

Alfonso Texador

- He cannot afford the rent in a tiny room where he lives.
- The situation is intolerable.

Jessie Turner

- He is homeless right now.
- He hopes that the Commission will approve this Housing Element.

Natalie Woods

- She hopes that the Commission will approve this Housing Element.

Alfonso Moore

- He is barely making it with the income he receives.
- People need clean environments where they can live.
- Locations for affordable housing need to be looked at.

Carol Warmesley

- She has been homeless and has lived in SRO hotels.
- It is hard to get by on very little money.
- Affordable housing is a blessing.
- People are homeless for different reasons yet most of them live this way because housing is not affordable.

Francisco Centurion – Russian Hill Neighbors

- He thinks that there are a lot of things that are too loose. Until they are resolved there is no housing element.
- One of the issues is the section on affordable housing.
- He is concerned about the transit corridors (Van Ness, Geary, Mission, etc).
- There are transit corridors that have not been included and they would make a great difference.
- He would like to know the definition of transit corridors and which ones will be included.

Roger (did not state last name)

- He has lived in an SRO hotel for many years.
- His rent has not changed for a long time.
- He has gone through a lot of turmoil at the SRO hotel where he lives.

Eferina Niarcines

- She would like to know more about housing since his situation is getting more difficult.
- She will have to move out from where she lives.
- She hopes the Commission will include affordable housing in this Housing Element.

Remedios Baltica

- She is concerned with affordable housing.

Judy Berkowitz – Coalition for Neighborhoods

- There are people that are not speaking on the housing element.
- She would like people to stick to the subject and the hearing would move along more smoothly.

Maria Sousa – Richmond District Association

- She thanked the Commissioners for taking a close look at the draft.
- The actual policy languages have not really changed.

- The word affordable has not been included in the Housing Element.
- This draft with Commissioners comments was not available until Thursday afternoon.
- Copies were not available at the library either.
- She hopes that the Commission will allow for further public review.

Barbara Austin

- She lives in the Richmond District.
- It is hard to get through.
- How does one solve the housing shortage and meet the needs of people.
- She asked the Commission not to close public comment.

D. Allen – Sixth Street Agenda

- The real focus is on the living conditions of many people who cannot afford a decent place to live.
- By approving and passing the Housing Element it will encourage the construction of affordable housing.

Deforest Woods

- He lives in an SRO hotel.
- He is thankful that he has a roof. To have your own key means a lot to him.
- More affordable housing is important for people who want to improve their lives.

Penelope Clark

- There seems to be missing the ratio of new housing and new office development.
- When there are a lot of new jobs, housing goes through the roof.
- It is important to consider new office space, which will demand new housing.
- Housing at 8th and Market would be a great location.

Sharlot Mac

- How can the Commission and the Department run the Housing Element without funds and the budget constraints?
- She suggests that the full weight of this department be to develop the South East Sector.
- The neighborhoods are a stable element of San Francisco.

Bernie Choden – San Francisco Tomorrow

- He believes that this draft still is a document with major shortcomings. While the Commission soon will probably approve the Housing Element, he suggests, at least, that there be stronger, clearer enforceable policies in these subjects of concern:
- Establish a central authority for facilitating affordable housing, especially for larger households.
- Provide adequate capital budgeting for increased housing density especially with regard to available resources.
- Provide neighborhood housing capacity analysis in devising density.
- Provide mitigations for reduced residential parking.

Ellis McDonald

- People will fill the streets to show how important it is to have affordable housing.

Rex Swaisney

- There are some areas that he would like to address: instead of monitoring rehabs, take action on rehabs. There are a lot of housing units that need rehabilitation.
- It is important to have monitoring so that if there is a plan some action could be taken.

Grace Calagos

- There is a coalition to amend and adopt the housing element.
- There is a failure to address affordable family housing.

Russel Burman – Mobile Outreach Support Team

- The plan really needs to respond to people who truly need affordable housing.
- There are people who are homeless and are interested in employment and a decent place to live.

Cyndy Mendoza – Mission Hiring Hall – SOMA

- She urges the Commission to encourage development for affordable housing and to adopt the Housing Element now.
- The lack of stable housing negatively impacts local employment.

Christopher Peterson

- He encourages development in all transit corridors.
- The Commission needs to look at requiring transit impact fees, require in lieu fees, etc.

Jennifer Chow Green

- The housing element does not really define what a transit corridor is.
- The changes proposed in the housing element without funding will lead to more problems

Eileen Bogan – SPEAK

- Many people have not been able to review the Commissioner's comments.
- The concept of transit corridors is deeply flawed in the Housing Element.
- Should capacity in MUNI be increased?

Kim Koumbs

- He cannot afford to live in this City anymore.

Eia Peno

- She hopes that the Housing Element will be adopted.

Alisha Rochell – Visitation Valley

- She would like to have the Commission approve the Housing Element plan.
- She was born and raised in San Francisco and does not want to move away.

Valerie Capeheart

- Affordable housing keeps being delayed and delayed.
- High-rises for rich people will be trying to bring too many people into San Francisco.

Timothy Jones

- He lives in an SRO hotel.
- It is difficult for people to live in these hotels because they are scared.

Scott Ferguson

- He was homeless for 15 years and is now lucky to live in a unit.
- Low-income housing should be located throughout the city.

Elsa Gualive – PODER

- She lives in the Mission District.
- She recommends changing the implementation policy because there should be a larger percentage of family units. This should be changed and passed.

Vicente (did not state last name)

- He is a student and is having a hard time because his father makes less than average and cannot afford to send him to school.
- A person needs to make at least \$37.37 an hour to be able to pay for affordable housing.
- He hopes that the Commission will develop zoning laws to allow affordable housing for families.

Elie Walieb

- Most of the people she grew up with live in Oakland or Richmond because they cannot afford to live in this city anymore.
- She recommends that the Commission change the implementation because affordable housing is needed for low-income families.

Evelyn Ruiz

- If she didn't live where she lives, she would not be able to pay the rent because her father is on disability and her and her mother cannot afford to pay the rent.
- A worker needs to make more than \$37.00 an hour to pay for rent for at least two bedrooms.
- She demands that housing be accessible to families who are low income.

Hiroshi Fukuda

- He is here to speak for many San Franciscans who could not come to the hearing.
- There are people who are apathetic about this and do not understand what is going on.
- This document will affect their lives for the next few centuries.
- There are too many things he would like to comment about the Housing Element but there is little time.
- A Housing Element is great for the rich and wealthy.
- San Francisco has become a City for the very poor or the very rich.
- The Housing Element does not provide for moderate-income citizens to remain in San Francisco.

Kyle Fiore

- She supports the Housing Element.
- The Housing Element does mention the need for housing.
- She encourages the development for two and three bedroom housing.

Richard Nichols – Mission Agenda

- There are a lot of unfortunate people who cannot afford a nice, decent place to live.
- Housing is important in the city.

Rob Thomas Perez

- He has worked as a professional chef.
- He has lived in SOMA for seven years.
- Housing is not a right, but there is a necessity for housing.
- He urged the Commission to pass the Housing Element.

Tracy Parent

- She is a realtor in San Francisco.
- She supports the Housing Element and is glad to see the additions made by Commissioner Antonini and Sue Lee, but she encouraged further additions. She would like to see more explicit wording around the incentives for private developers to include affordable housing ownership units in their private developments for the 80% to 120% median income families. That would free up the public funds to target the low income family needs.
- The needs assessment of the Housing Element gives very explicit wording around facilitating the permit process for private developers who do include affordable housing.

Dave Hope

- He lives in the Sunset District.
- He supports the Housing Element because it will give him an opportunity to stay in the neighborhood where he grew up.

Jason Murdock

- He urged the Commission to adopt the Housing Element.
- People on the street are not just people of color.

Ken Chow – Chinatown Community Center

- There is a housing crisis but if you ask someone the answer will depend on if they have money or not. If someone is rich, they will say that there is no housing crisis. If you live on the street, they will say that there is a housing crisis.
- The City needs affordable housing.
- The Housing Element needs some clarity related to key policies and objectives emphasizing affordable housing.

(did not state name)

- He is the designer of the seismic retrofit that was introduced to City Hall and was unanimously accepted.
- He requested that the Commission reconsider the maximum height from 35 to 40 feet for quality family housing.

Libby Benedict

- She read a paragraph from June's San Francisco Structures which is an offshoot from the San Francisco Business Times.

John Lundsome

- He lives in the Richmond District.
- There is clearly a need for public housing, more subsidies for housing, and better enforcement of regulations regarding single-room occupancy hotels.
- He is not in support of in-laws in the Sunset District because it will bring an increase in cars and traffic problems.

Ignacia (did not state last name)

- She has lived in San Francisco for 18 years.
- She is worried because the money she receives for assisted living is not enough to pay for all her family's expenses.
- She has cancer and sometimes she does not have the money to pay for her medicine.

Guillermina Castellanos

- She lives in and is representing people who live in SRO hotels.
- It is incredible to her how people with children can live in tiny rooms.
- The conditions are terrible yet rents are very high.
- She hopes that the Commission will pass the Housing Element.

Jeff Hagen – Francisco Heights Residents Association

- He thanked the Commission for their comments. They have been right on point and very helpful to the public.
- Many of the stories while compelling, are not pertinent to the subject at hand.
- It is important not to lose the character of San Francisco.
- Seismic stability is very important on all buildings throughout the City. If there were high-density housing in the Marina in 1989, there would have been more casualties.

Patricia Cornelius

- Low-income housing is very important.

Greg Hilton

- He believes that the Housing Element is illegal because not all of the neighborhoods have been represented.
- The Housing Element will create a disastrous parking situation.
- Many of the people who have spoken are below income levels and really need housing.
- It is important to create affordable housing.

Teresa Almagen

- There is a very extreme need to provide affordable housing.
- It is a priority to provide a place for people to live, not provide a place where a car should be parked.
- Family housing should be prioritized. People here are not asking for assistance, they are just asking for a decent place to live.

Flor Ramos

- She is here to demand accessible and affordable housing for low-income residents.
- She does not know why companies are investing money for the construction of expensive and luxury apartments.
- Everyone here will continue to come here and talk until there are positive results.

June Jan

- She was born and raised in San Francisco and now cannot afford to live in the City.
- Ethnic communities are important and should be considered.
- She hopes that the Housing Element is passed.

Angel Martinez

- It is unfortunate that people are living out in the streets. These people should be given the opportunity to have access to affordable housing.
- The Commission can help society and help make this a better place.

Desire Martinez

- People are here to work and should be allowed to live in affordable housing.
- There needs to be first-source hiring.
- She urges the Commission to look at this document and enforce it.

Mary Lou Lascari

- Do we need this Housing Element? Yes, we do.
- The parts that don't serve people are the parts that she objects to.
- Affordable and decent housing is what everyone wants.
- She is concerned with the transit corridors mentioned in the Housing Element.

Dorcas Moureen Bender

- It is heartbreaking to know how many people are living in terrible conditions.
- Families should be kept here.
- There is a crisis in density right now.
- Single-family neighborhoods are important to preserve.
- She hopes that when the rest of the Commissioner's comments are put out, that at least two weeks are provided for the public to read the comments.

Alice Picas

- Housing is important for the very poor, and the Housing Element draft does not provide for that.
- There should be a more realistic plan.

Hector Alvarez

- He is a member of the Carpenter's Union.
- He supports the Housing Element and the basic parts of it.
- There is some fine-tuning that still needs to be done.
- The Carpenter's Union is very supportive of this.

Larry Davis

- He lives in an SRO Hotel.
- He hopes that the Commission will approve this Housing Element.

Araceli Lara

- She hopes that at the end, the Commission will help provide for the very poor.
- Families suffer a lot because they are living in terrible conditions.

Mitchel Giavanini

- He was born in San Francisco but had to move away.
- He is now back in the Bay Area and sees that there is an increase in homelessness here.

Shawn Williams

- He lives in an SRO hotel.
- He has two children and they cannot visit him because his room is 10x10 and not very good for three people to be there.
- The living conditions are very bad right now for low-income people.
- This Housing Element should be passed.

Richard Warner

- He would like to thank the Commissioners who provided their comments on this Housing Element.
- He has been here a couple of hours and has heard that the needed income to live in San Francisco is \$37.00.
- He just rented an apartment last week.
- It is important to take time on this and find out what exactly neighborhoods want and allow housing to be built without affecting the beauty of the San Francisco neighborhoods.

Jay Bradshaw

- His issues are the quality of construction for affordable housing.
- Decent jobs are very important.
- He is concerned about the Comments of Commissioner Antonini
- If jobs are created, that they be good jobs; if housing is built, let it be built right.

Jerry Langordia

- He is concerned about affordable housing in the city.

- We should have policies that encourage suitable rental housing and emphasize affordable rental units.

- Existing housing should be maintained in a safe and sanitary environment.

Marty Borrego

- He has lived in San Francisco most of his life.

- There is a need for affordable housing for low-income residents and students.

Marie Gomez

- She lives in an SRO hotel.

- She is a long time resident of San Francisco and really loves this city.

- She is grateful to have housing like this.

- In every market rate building there should be an equal amount of low-income housing built.

Bill Murphy

- He lives in an SRO hotel and is a third generation San Franciscan.

- He urges the Commission to approve this Housing Element to help out all the low-income residents.

Joe Shipman

- He has suffered a lot because of shabby [living] conditions.

- Every trade has been in this hearing room.

- The Carpenter's union provides apprentices.

- He supports this Housing Element.

Alexandra Hernandez

- She is here to urge the Commission to adopt the Housing Element.

- This Housing Element will protect working class families from being displaced in the future.

- She would like to suggest an amendment that would provide zoning amendments in areas of the city.

Carlos Zintella – Mission Housing

- He thanked the Commission for the opportunity to address this very important issue regarding housing.

- He has lived in the Mission district for the past 13 years and has never seen rent as high since he moved into the area in the early 60's.

- Affordable housing is important for people who are on a fixed income.

- He hopes that the commission understands the issues being exposed today and fill the need for housing.

William Craig

- He is a veteran.

- He is homeless presently and stays at a shelter.

- There are a lot of people who live in similar situations.

- He has a right to live in a decent place.

- This plan should have been passed a year ago.

Monica Losa

- She has lived in the Mission District for 49 years.

- She suggested that the Commission take the time to visit some of the SRO hotels.

Monica Losano

- She is a low income resident and requires affordable housing.

- Living in a very limited space without privacy is not healthy for anyone and less for children who are the future of this country.

- She is here to urge the Commission to adopt the Housing Element.

Margarita Mendoza

- She has lived in the Mission for about five years.

- Affordable housing is a topic that is very important and should be addressed.

- The residents asking for affordable housing today are not asking for something special, they are just asking for housing that they deserve.

Arai Ruiz

- Affordable housing is a big need for low-income residents.

Marilyn Amini

- In the Housing Element there are two distinct issues.
- There is a need for safe and sanitary housing. The City needs to maintain the affordable housing that there is already.
- The Commission could lobby for safe conditions for people who are in these conditions today.
- There is a need for subsidized units.

Berta Bautista

- Her and her husband live in a studio with their three children.
- The place is very small and cockroaches and mice invade it.
- She would like to provide for a better living situation but with their income, they cannot afford an apartment with two bedrooms.

Rachel Garcia

- She supports the words that everyone has mentioned.
- Her husband works as a day laborer and does not have a fixed income. She works part time.
- They both have worked hard to provide a decent living for their children.
- They live in a studio but the conditions are terrible.
- She urges the Commission to look closely at all the issues stated today.

Charles Sciammas

- He lives in the Mission District.
- People pay too much for rent and many live in overcrowded apartments.
- He urges the Commission to adopt the Housing Element and also to prioritize affordable housing.

Maria Zuniga

- She is here to support the organizations that build affordable housing.
- She thanked the Commission in advance for helping low income residents.

Jaime L. Collins

- Housing is on the table and it needs to be approved fast.

Jose Morales

- This problem of affordable housing is very important.
- Many people have been suffering because they cannot live in decent housing.
- Affordable housing is important for senior citizens.

Tony Graine

- He is a member of Homes Not Jails.
- He has not had the time to read the Housing Element in detail.
- It is not right when families have to live in indecent housing units.
- He demands that every housing that goes up is controlled.

Luis Granados

- Although the Housing Element is an inch thick, it is a very "timid" document.
- It does not address the needs of working class families wanting to own a home.
- It is important to talk about low-income home ownership.
- He urges this amendment to the document and to adopt it.

Miriam Munoz

- She is here representing St. Peter's Housing Committee.
- The rents are so high that many people cannot pay for rent and bills.
- It is human to claim their rights.
- There is no need for people to live on the street to show that something can be done.

Miriam Zamora

- Everyone has been speaking about low incomes, percentages of living and many calamities of the people who live in San Francisco.
- Development of an individual is the victory of a country.

- The rent could be frozen at 30% of the salary of an individual.

Susan Marsh

- She lives in an SRO hotel.
- These hotels are simply no good.
- She asks that the Commission approve the Housing Element.

Arnold Townsend

- He encouraged the Commission to approve the Housing Element.
- More affordable housing is very important.
- It is important to build affordable, for sale housing.

Pat Christensen

- The merchants she has spoken to are concerned about transit corridors.
- She would like to have a definition of what a transit corridor is.
- The Housing Element should be written in a more realistic way.

Rosalin Orchid

- She has lived in a "shoe box" for many years.
- She believes that what is happening here is very highly admonished.

Leslie Leonhardt – Union Street Merchants Association

- She wonders what a transit corridor is also.
- The increased density will make it difficult to breathe in the City.
- There is also the threat of loosing the tourists.
- Cars are not going to go away.
- She is very impressed at what she heard here, especially about affordable housing.

Eric Quezada – Mission Anti-Displacement Coalition

- This document has been in existence for the past 10 years, yet no one ever read it.
- He would like to bring to life what type of conditions people are living in.
- The question now is what the Commission will do with all the statements that were heard today.
- This document is a living document. It is very important to participate in this process.
- Until this process is over, he will be opposing projects regardless of their merits. This process needs to move forward.

Broad Souza

- He is here to take this opportunity to ask the Commission to approve the Housing Element.

Amparo Garcia

- Her apartment is too crowded.
- She urges the Commission to approve housing for seniors.

Cris Durazo – South of Market Community Action Network.

- Although SOMA is rich with new housing, most of them are lofts and luxury apartments.
- Policies are made to make sure that things are fair.
- It is important that the Commission show their support and have these policies approved.

Ada Chan – Mission Anti-Displacement Coalition

- People are not disposable. They should not be kicked across the bridge when they can no longer afford to live in San Francisco.
- There were some questions regarding inclusionary housing. It is possible to have more than the token 12% that we currently have. Developers will build and can make money.
- It is important to have stronger affordability language in relation to the Housing Element. She realizes that there is some debate on this and that the Commissioners have different opinions on this.
- She urged the Commission to close public comment because this is the second round of hearings.
- She also urged the Commission to adopt the Housing Element.

Cris Selig – Mission Anti-Displacement Coalition

- She is part of a recently formed group called the Coalition to Amend and Adopt the Housing Element.
- Specifically, the current draft is deficient in the following areas: 1) lack of clarity; 2) failure to address sufficient details on policies and objectives; 3) failure to address the relationship between employment opportunities, income generation and affordable housing; 4) failure to discuss policies and objectives enhancing home ownership opportunities for lower income San Franciscans; and 5) failure to ensure sufficient neighborhood protections and compatibility of new market rate housing.

Delfine Brody

- She lives in an SRO hotel.
- She understands that the Housing Element has been on hold for 18 months.
- She urges the Commission to accept the amendments from the Mission Anti-Displacement Coalition.

Shawn Leonard

- She is an organizer with the Northern California Carpenter's Regional Council.
 - There has been endless testimony today about how the lack of affordable housing is impacting the diversity of the neighborhoods in San Francisco and the integrity of the family unit.
 - The Carpenter's are not opposed to building, but they should be built with quality construction.
 - The people in the low income neighborhoods should be allowed to receive decent wages.
 - She urged the Commission to implement plans and policies to allow the residents of San Francisco to have affordable housing made with quality construction and to have union jobs.
 - She supports the Housing Element but it just needs to be amended.
- ACTION: Hearing to receive public comment only. No action required today.

PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) Responding to statements made or questions posed by members of the public; or
- (2) Requesting staff to report back on a matter at a subsequent meeting; or
- (3) Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 8:48 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 4, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

DOCUMENTS DEPT.

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, July 24, 2003**

SEP 17 2003

SAN FRANCISCO
PUBLIC LIBRARY

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Kevin Hughes,
Lisa Feldstein, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director; Larry Badiner -Zoning Administrator; Susan Cleveland-Knowles, Deputy City Attorney; Sara Velve; Elaine Tope; Glenn Cabreros; Mary Woods; Joy Navarrete; Ben Helber; Matt Snyder; Michael Smith; Geoffrey Nelson; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. (PUTRAWILSON: (415) 558-6233)
RESIDENTIAL DESIGN GUIDELINES - Presentation on the updated and expanded Residential Design Guidelines (Guidelines) for all residential projects in RH (Residential House) and RM (Residential Mixed-Density) zoning districts. This is a second hearing on the proposed Guidelines after receiving comments and recommendations from the public at the May 22, 2003 hearing, and meetings with interested neighborhood groups and organizations. This hearing is to provide another opportunity for the public to comment on the draft Guidelines. The Planning Commission requires no action. The Planning Commission may adopt the Guidelines at a future public hearing.
(Continued from Regular meeting of May 22, 2003)
(Proposed for Continuance to August 21, 2003)

SPEAKER(S):

Sue Hestor

Re: Residential Design Guidelines and Major Exterior Alterations Notification

- These two items should be put on the calendar together.
- Policies on these issues need to be sorted out.

ACTION: Without hearing, item continued to August 21, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2003.0278C (M. SMITH: (415) 558-6322)
5810 MISSION STREET - north side of the street between Lawrence and Sickles Avenues, Lots 039, 042, and 049 in Assessor's Block 7143 - Request for Conditional Use Authorization pursuant to Planning Code Sections 303 and 304 to allow the amendment of Motion No. 13347 to amend the Planned Unit Development authorization to allow for the conversion of three Below Market Rate (BMR) rental apartments into three (BMR) dwelling units for sale for owner occupancy. The conversion would affect units #202, #205, and #303 in the building, located in a NC-2 (Small-Scale Neighborhood Commercial District) and 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of June 19, 2003)
(Proposed for Continuance to August 21, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to August 21, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2003.0042T (P. LORD: (415) 558-6311)
MAJOR EXTERIOR ALTERATION NOTIFICATION - consideration of an Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to require expanded public notice for major exterior alteration projects; requiring the Building and Planning Departments to issue implementing regulation within 90 days and report to the Board of Supervisors on the effectiveness of the ordinance no later than nine months thereafter; and adopting findings.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of May 15, 2003)
(Proposed for Continuance to August 21, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to August 21, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

4. 2003.0636D (F. JONES: (415) 558-6477)
28 SYLVAN DRIVE - east side between Sloat Boulevard and Ocean Avenue, Lot 042 in Assessor's Block 0636 - Request for Discretionary Review of Building Permit Application No. 2002.12.02.3530, proposing to construct a three-story rear vertical addition to the existing two-story, single-family dwelling located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take DR and approve the building permit as submitted.
(Proposed for Continuance to September 25, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to September 25, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS**5. Commission Comments/Questions****Commissioner Bradford Bell:****Re: *Scheduling Cases in September***

- In an effort to explore ways to better prioritize the Commission calendar, she instructed the Commission Secretary to implement a trial procedure in September only that would calendar Discretionary Review cases on a date by themselves and all other cases on alternate hearing dates. In essence, every other Thursday would be for Discretionary Review and the alternate Thursdays would items that are usually on our regular calendar. In early October the Commission would have to calendar an item that would allow us to discuss and analyze the effectiveness of this trial procedure and determine whether or not we want to continue, modify, or abandon it.

Re: *Miscellaneous Questions*

- What EIR's are coming up in September?
- Can the Housing Element be scheduled as a special meeting again?

Commissioner Sue Lee:**Re: *Director Green's departure***

- She requested to have scheduled on the next agenda, the issue of Director Green's imminent departure and to get clarity and a status report on what the interim management team for the Department is while he is gone.

Re: *Receiving Informational/briefing material in a timely manner*

- She would like informational/briefing material at least one week prior to the hearing instead of the evening before the hearing. This way Commissioners are better prepared to make decisions on the cases before us.

Commissioner Feldstein:

She requested the following information:

Re: *Workload:*

- Calendar a discussion about workload and calendar preparation. In that discussion, we should explore ways of better managing the calendar, which might include more direct commissioner input into calendar preparation.

Re: *Timeliness:*

- She will be requesting that items be continued if she does not receive updated information in a timely manner.

Re: *Scheduling:*

- Only under emergency circumstances should more than one meeting be scheduled in a week.

Re: *Feedback:*

- She would like to receive the action list (which contains Commissioner's requests) no less than once a month, or whenever any item on it changes, whichever is more frequent.

Re: *Planning vs. Projects:*

- She requested that from this point forward presentations about true planning issues be allocated as much time as the presenters need to make complete presentations.

Re: *Director:*

- She would like to schedule on the calendar the issue of the Commission be given the opportunity for input into the process of who the managing staff will be as Director Green leaves the position of Planning Director.

Re: Discretionary Reviews:

- Some months ago, the Commission began to discuss streamlining the Discretionary Review process. She requested that this item be calendared for discussion to move the issue forward.

Re: 11x17 plans

- She instructed that project sponsors be responsible for providing to staff/Commission 20 copies of project plans that are 11"x17."

Commissioner Antonini:

- He agrees with what Commissioners have said. He feels that these are items that need to be addressed.

Re: Informational material in a timely manner

- He understands that projects are constantly changing that requires updates that need to be sent to Commissioners via faxes/phone calls, often on the morning of a hearing. He feels that Commissioners just need to do the best they can to review that material. Although he agrees that the earlier they can get the material, the better.

Commissioner Boyd:

- He also agrees with the request made by Commissioners regarding getting information in a timely manner.

- Site visits and presentations take a lot of time so scheduling this in a timely manner will help to organize the Commission's calendars.

Commissioner Bill Lee:

- He understands the amount of time that Commissioners need and the economic impact. He feels that having more Commission meetings are a good idea. He realizes that Saturdays are a religious holidays for some and that Sundays City Hall is closed.

Commissioner Hughes:

Re: Items that get continued

- He realizes that there are some continuations that the Commission can control and some that they cannot.

- He advised project sponsor representatives to do their work well.

C. DIRECTOR'S REPORT

6. Director's Announcements

Re: Efficiency

- There are a lot of factors involved to receiving information in a timely/efficient manner. The department will do their part on this matter.

Re: Alternating DRs and Regular Items:

- The department is fast approaching dates to get things noticed for future hearings. He will act on this quickly.

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

Full Board of Supervisors meeting of July 22, 2003*Re: 3725 Buchanan Street*

Appeal of a CU authorizing 8 panel antennas and related equipment on the roof of an existing building as part of Verizon's wireless telecommunications network. (Approved +4-3 on May 1, 2003 by the Commission). The Board did not feel that the antennae were necessary and desirable, and the CU was overturned on an 11-0 vote.

Re: 40-50 Lansing Street

CU appeal of this 82-unit residential project.

The Board voted to change the building envelope on the Lansing Street side of the building by eliminating 4 units there. Additionally, they amended the project to place the loading dock on-site as opposed to across the street, which eliminated a total of 5 dwelling units in the building. The total number of units therefore was reduced from 82 to 77, which includes the loss of an affordable unit--reduced from 10 affordable units in the original project to 9 in the revised project. Assuming that the project sponsor keeps the same 70/30% ratio on the type of affordable units as they reflect the total number of units, this will mean a loss of 1 affordable two-bedroom unit.

Re: 3537 19TH ST (19th Street PG&E transformer)

Appeal of the CU to authorize six antennas and backup equipment located on the building's rooftop for AT&T Wireless. Appealed by neighborhood signatures. This project was overturned by an 8-1 vote, with Supervisor Peskin dissenting.

8. Set hearing date to discuss the Department's priorities.

SPEAKERS: None

ACTION: Hearing Held. Through Commission discussion, it was decided that this item would be calendared for September 4, 2003.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

SPEAKER(S):*Re: 1509 Taraval Street***Reza Kitoshnerisan – SIA Consulting Engineers**

- They had proposed a three unit building and his client is asking for two commercial areas and the two residential units at the top levels. This would bring the required parking to two spaces.
- Therefore the project has been modified.

*Re: Golden Gate Park Concourse Authority Projects***Pinky Kushner – Sierra Club**

- She would like to delay the EIR approval because rushing into the approval would delay and make things more complicated.
- There have been comments put into the document.
- The EIR should be approved based on what the Commissioner reads and not on what people say.

Alison Brown – California Academy of Sciences

- She asks that the Commission act today and certify the EIR.

Wade Randal

- The expeditious approval of the EIR is critical.
- There is a strong majority of San Franciscans that want this garage built and want the pedestrian access to the music concourse.

Gwyneth Borden – SF Chamber of Commerce

- It is important to implement what the voters asked for.
- Having the cars in a garage will eliminate fumes from cars looking around for parking near the park.

Tomasita Medal – Park Access for All

- The tunnels are dark and uninviting. Usually they smell like urine.
- She urges the Commission to certify the EIR today.

John Laskin

- If he were a developer he would build parking in high-rises.
- He is not against the garage but would like a better proposal.

Re: 201 Folsom/300 Spear

Michael Nulty

- The EIR speaks to the issue of affordable housing because San Francisco needs it and it is quite important.
- He looks forward to seeing this happen.

From the Addendum:**CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED**

2003.0207C

(R. CRAWFORD: (415) 558-6358)

1509 TARAVAL STREET - between 25th and 26th Avenues, Assessor's Block 2400 Lot 043 - Request under Planning Code Section 161.(j) for Conditional Use Approval for a reduction of 3 off street parking spaces required for dwellings for a Project with ground floor commercial and 3 dwelling units. This project lies within an NC-2 Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

NOTE: On July 10, 2003, the Commission closed the public hearing and passed a motion of intent to disapprove by a vote of +5-2 (Commissioners Bradford Bell and Feldstein voted No). Final Language scheduled for July 24, 2003.

SPEAKER(S): None

ACTION: Without further hearing, item continued to August 21, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

E. REGULAR CALENDAR

9. 2003.0444D

(S. VELLVE: (415) 558-6263)

586 LISBON STREET - northwest side between France and Russia Streets, Lot 016A in Assessor's Block 6274 - Request for Discretionary Review of Building Permit Application 2002.06.12.8815 to construct a new single-family dwelling located in an RH-1 (House, One-Family) District, 40-X Height/Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve with modifications.

SPEAKE(S):

(-) Richard Lane – Discretionary Review Requestor

- Due to the lack of parking on this block, on July 7, 2003, his neighbor, Scott Adsit, was killed while loading his truck. *(He requested a moment of silence in his memory).*

- Parking in this neighborhood is at an already critical situation.

- The applicant has not been living in this neighborhood for many years.

- The applicant has provided information in the building permit request that is exaggerated.

- The neighbors of Lisbon Heights have not had the opportunity to review the plans from the project sponsor.

- Nowhere on Lisbon Street are there roof decks.

(-) Barbara Brewster

- She lives next door to the proposed project.

- She is concerned about the down hill setback.

- Because of the increased height, she is concerned with the diminished light and air to her home.

(-) Matt Householder

- He is a member of the Lisbon Heights Neighborhood Association

- He is not happy to see the character of his neighborhood change because of this project.

- The project sponsor has accused him of turning the other neighbors against him (the project sponsor).

- There have been inconsistencies in the information the planner submitted.

(-) Carlos Lima

- He is a member of the Lisbon Heights Neighborhood Association.

- He is totally in support of homeowners upgrading their homes.

- He requested that the Commission keep this project as close to the character of the neighborhood as possible.

- He requested any and all information regarding parking.

- Please keep as many curb sites as possible on the block.

(+) Collins O'Neal – Project Sponsor

- He displayed photographs of the rooftops of the homes on Lisbon Street, proving that there have been a lot of people that have made additions to their homes.

- He feels that the whole neighborhood has turned against him.

- He will make many changes, which were recommended by staff, and to comply with the requirements by the neighborhood association.

- He hopes that the neighborhood and he can come to an agreement and they can be united.

ACTION: Hearing Held. Public Comment Closed. Item continued to September 4, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

10. 2003.0638D (E. TOPE: (415) 558-6316)
20 ROSEWOOD AVENUE - west side of Rosewood between Ravenwood Drive and Brentwood Avenue; Lot 003 in Assessor's Block 3043 - Request for Discretionary Review of Building Permit Application No. 2003.01.16.5375S, proposing a second story front horizontal extension for an existing single family dwelling within an RH-1 (D) (One-Family, Detached Dwelling) District and in a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(s):

(-) William Abend – AIA Architects – Representing Discretionary Review Requestor

- He displayed aerial photographs of the project site showing what the project sponsor is proposing to construct and what the issues are of the Discretionary Review requestor.

(-) Kathy Hoegger

- She and her husband have lived in San Francisco all their lives.
- For over 30 years they have given to the community.
- They are realtors and their business is concentrated in the community where they live.
- This home is intended as their retirement home.
- They have letters from neighbors who are in support of their project.
- Tenants have the same right as homeowners do.
- Scaling back is not going to affect the project that much. This would give them and their tenants a little more light and air.

(+) Jim Reuben – Reuben and Alter – Representing Project Sponsor

- The project sponsors moved to this home 11 years ago.
- The project sponsor would like to have three full bedrooms for their three children.

(+) Melissa Welch Barker

- Her and her husband would like to have more space for their family.
- She would also like to have space for a home office since currently she works from a hallway.
- The remodel will not affect the neighbors it will only improve the neighborhood and property values.
- They have worked diligently with Planning staff in order to have their project be based on the codes.

ACTION: Did not take Discretionary Review and approved the project

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

11. 2002.0782KRV (G. CABREROS: (415) 558-6169)
CALIFORNIA ACADEMY OF SCIENCES PROJECT - Planning Commission Finding Regarding Planning Code Section 295 ("Sunlight Ordinance"). The project is located along Academy Drive in Golden Gate Park, south side of the street and bounded by the Music Concourse to the north, the Rhododendron Dell to the east, the Shakespeare Garden to the west and Middle Drive East to the south, Lot 001 in Assessor's Block 1700 in a P (Public) District and an OS (Open Space) Height and Bulk District. Construction of a new California Academy of Sciences (CAS) building on the site of the existing facility in Golden Gate Park is proposed. The project includes demolition of 11 of 12 existing buildings, and would retain Simson Africa Hall. The project proposes a new building, contiguous with a rehabilitated Africa Hall, housing the Academy's facilities in one structure. The new CAS building would have a varying roof height ranging from approximately 40 feet to 67 feet in height. Section 295 of the Planning Code requires, prior to approval of the project, that a determination be made that shading from the structure will not have a significant and adverse effect on lands under the jurisdiction of the Recreation and Park Department. The Commission shall make its determination following a recommendation by the Recreation and Park Commission. (Action by the Planning Commission.)
 Preliminary Recommendation: Find that the shadow impact is insignificant.

SPEAKER(S):

(+) Patrick Selick – Academy of Sciences

- This is a model project for this City.
- He is available for questions.

(+) Gordon Chung – Project Architect

- This project is environmentally sustainable.
- By use and design, it is up to the standards of urban design.
- He presented a powerpoint presentation on the architectural aspects of the project.

(+) Margaret Brodtkin

- This is such a treasure for the children.
- This is a wonderful gift for the children of San Francisco.
- The academy has gone through a lot to provide information to the public.
- She looks forward to a beautiful project.

(+) Ron Miguel

- These items are very simple to be approved.
- There is a very insignificant shadow caused by the trellis.
- The project is in conformity with the General Plan.
- This is one of the premier scientific organizations and institutions. It deserves a special location in the park.

(+) Martha Kropf

- She is a 30 year resident of the academy.
- The academy has had long time support for the transit first policy.
- The architect for the project was chosen because of his sensitivity to the park.
- To engage the public, the academy relied on its advisory committee.

(+) Mark Palmer – Department of the Environment

- The Academy of Sciences is one of the many projects he is most proud of.
- The building itself will be an exhibit of sustainability.
- The new Academy far exceeds building standards. It will enhance Golden Gate Park as well as San Francisco.

(-) John Laskin

- He is against the parking variance.
- There will be a lot of parking spaces removed that are very much needed.

(+) Liz Dunlap

- She is a member of the Transportation Authority CAC and the advisory group of the Academy of Sciences.
- The Academy is a transit first institution.
- The new building will be ADA compliant and will ensure that disabled visitors will have the same wonderful experience visiting the Academy.

(+) Alex Wong

- The Academy is a tremendous organization.
- He urges the Commission to approve this project.

(+) Jim Chappell

- Everything is right about this project.
- The shadow impact is insignificant.
- There should be a parking variance because there should not be parking.

(-/+) Cris Duestadt

- Staff does not have the capacity to do a full shadow study of it so he did one.
- Although there are shadow impacts, they are impacts on roadways and pathways and they are very insignificant.
- The concerns he has are that the floor plan is at a higher elevation and there are no handrails which has significant impact for pedestrians. There are concerns that pedestrians on wheels will have a hard time maneuvering in the Academy.

(+) Tai Via – Coblenz, Patch, Duffy and Bass

- The issues that Mr. Duestadt mentioned are addressed on Pages 29 to 30 of the Responses to Comments document.

(+) Tom McDonough

- This is an incredible resource for people living locally.
- This project will help bring visitors and boost the economy.

ACTION: Approved CEQA Findings
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
MOTION: 16616

ACTION: Determined the shadow impact to be insignificant.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
MOTION: 16617

12. 2002.0782EKR/V (G. CABREROS: (415) 558-6169)
CALIFORNIA ACADEMY OF SCIENCES PROJECT - Finding of Consistency with General Plan and Planning Code Priority Policies. The project is located along Academy Drive in Golden Gate Park, south side of the street and bounded by the Music Concourse to the north, the Rhododendron Dell to the east, the Shakespeare Garden to the west and Middle Drive East to the south, Lot 001 in Assessor's Block 1700 in a P (Public) District and an OS (Open Space) Height and Bulk District. Construction of a new CAS building on the site of the existing facility in Golden Gate Park is proposed. The project includes demolition of 11 of 12 existing buildings, and would retain Simson Africa Hall. The project proposes a new building, contiguous with a rehabilitated Africa Hall, housing the Academy's facilities in one structure. The new CAS building would have a varying roof height ranging from approximately 40 feet to 67 feet in height. Planning Code Section 234.1 and 290 require uses in a P District and an OS Height and Bulk District be in conformity with the General Plan. (Action by the Planning Commission.)
 Preliminary Recommendation: Find that the Project is, on balance, in conformity with the General Plan.

SPEAKER(S): Same as those listed for Item 11.

ACTION: Found to be in compliance with the General Plan.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16618

13. 2002.0782EKR/V (G. CABREROS: (415) 558-6169)
CALIFORNIA ACADEMY OF SCIENCES PROJECT - Parking Variance Request. The proposal is to remove 73 existing parking spaces and to construct the new CAS building without providing 253 required off-street parking spaces. The project is located along Academy Drive in Golden Gate Park, south side of the street and bounded by the Music Concourse to the north, the Rhododendron Dell to the east, the Shakespeare Garden to the west and Middle Drive East to the south, Lot 001 in Assessor's Block 1700 in a P (Public) District and an OS (Open Space) Height and Bulk District.

SPEAKER(S): Same as those listed for Item 11.

ACTION: Zoning Administrator closed public hearing and granted the variance.

- 14a. 2002.1301C/V (M. LUELLEN: (415) 558-6478)
230-242 TURK STREET - "The Salvation Army Turk Street Center", north side between Jones and Leavenworth Streets; Lots 024 & 006 in Assessors Block 0338 - Request for Conditional Use authorization pursuant to Planning Code Section 303 to construct a new eight-story building approximately 79 feet high that will contain 109 units of affordable housing for adults in recovery and older foster care youth. The project includes a gymnasium, pool, chapel and multipurpose room on the ground floor, and social services offices, and youth recreational area on the second and third floors, all built over an underground parking level accessed from Turk Street and containing at least 32 off-street spaces. A structure containing 36 dwelling units and 74 rooms of group housing would be demolished. The subject property is in an RC-4 (Residential-Commercial Combined, High Density) District and located within the North of Market Residential Special Use District No. 1, and is in an 80-120-T Height and Bulk District. The existing building is a contributing structure to the National Register Eligible San Francisco Apartment and Hotel District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Without Hearing, item continued Indefinitely

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 14b. 2002.1301CV (M. LUELLEN: (415) 558-6478)
230-242 TURK STREET - "The Salvation Army Turk Street Center", north side between Jones and Leavenworth Streets; Lots 024 & 006 in Assessors Block 0338 - Request for a rear yard modification in accord with Section 134(f) to provide an equivalent yard area elsewhere on the lot, and for variances to provide 32 parking spaces where 88 are required, and to reduce the glass area in bay windows required by Section 136(c)(2)(C), are sought as part of a project to construct a new eight-story building approximately 79 feet high that will contain 109 units of affordable housing for adults in recovery and older foster care youth and facilities for associated services. The project includes a gymnasium, pool, chapel and multipurpose room on the ground floor, and social services offices, and youth recreational area on the second and third floors, all built over an underground parking level accessed from Turk Street and containing at least 32 off-street spaces. The subject property is in an RC-4 (Residential-Commercial Combined, High Density) District and located within the North of Market Residential Special Use District No. 1. The existing building is a contributing structure to the National Register Eligible San Francisco Apartment and Hotel District and is in an 80-120-T Height and Bulk District. The Zoning Administrator will consider these requests.

SPEAKER(S): None

ACTION: Without Hearing, item continued Indefinitely

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

15. 2002.1219C (M. WOODS: (415) 558-6315)
1770 - 1780 FELL STREET - north side between Ashbury Street and Masonic Avenue; Lot 18, in Assessor's Block 1209 - Request for Conditional Use authorization under Sections 209.1(h) and 303 of the Planning Code to convert the existing building on an approximately 5,000 square-foot lot from a residential care facility to five (5) dwelling units, at a density ratio of one dwelling unit per 1,000 square feet of lot area, in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) David Silverman – Representing Project Sponsor

- This is a building that was built in 1908 and has significant architectural merit.
- This project will allow 5 residential units with 5 off street parking spaces.
- This project is located in a residential neighborhood. The building envelope will remain the same.
- The interior will be remodeled and the exterior will be restored.
- The building will receive new plumbing and electrical systems, a new roof and new structural support beams on the ground level.

(-) Miki Yoshimura

- She has lived on Fell Street for nine years.
- She was only notified of this project when they received a notice from the Planning Department. She had to travel to the Planning Department to get information on the project. She does not know how to read plans and has never been before the Commission.
- She has issues related to noise and light. She is glad that the roof deck will be reduced.
- She is happy that there will be sound proofing done but she still has an issue with the east side doors.

(-) Alex Adams

- He lives next door to the project in question.
- He is surprised that the project sponsor did not contact him.
- He would like the Commission to put off a vote until the neighbors have been contacted.
- The project has a monstrous size roof deck; he is concerned with the landscaping, etc.
- The two doors on the east side is a major problem for him.

(-) Mr. Licko

- His issues are related to noise and privacy.
- He asked that the rear yard be made into a green open space by removing the existing brick and concrete pavement.
- There is no existing deck on the project.
- If the deck would be allowed, he asked that it be reduced in size.

(-) Doug Comstock

- He never received notice of this project.
- This project represents a decrease in density.
- This project will create market rate condominiums.
- He hopes that the people that moved out will get first chance in moving back into the units.
- He would like to retain as much of the open space as possible.
- He would like to meet the developers just to get a feel of the project.

ACTION: Approved as Amended: 1) Reduce roof deck to not be more than 600 feet and require a setback equally from East and West walls; 2) delete ground floor door; 3) allow a closure on the 2nd level door; 4) require a mechanism on 2nd floor door in order for it to be more quiet; 5) adequate soundproofing to be required (including RC channel); 6) require landscaping.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16619

16. 2002.1021C (G. CABREROS: (415) 558-6169)
2525 CALIFORNIA STREET - south side, between Steiner and Pierce Streets, Lot 032 in Assessor's Block 0655 - Request for Conditional Use Authorization under Planning Code Section 718.11 for a development with a lot size exceeding 5,000 square feet in area. The proposal is to demolish the existing one-story commercial building and construct a four-story building with up to 16 dwelling units on the three upper stories, up to 4,999 square feet of retail space (Other Retail Sales and Services per Planning Code Section 790.102) on the ground floor, and up to 24 parking spaces in a basement garage, within the Upper Fillmore Neighborhood Commercial District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S):

Re: Continuance

Bruce Bauman

- He would like to have this scheduled for July 31, 2003 instead of August 28, 2003 since the planner will be going on vacation the month of August.
- He wished Gerald Green well on his future endeavors.

ACTION: Without hearing, item continued to August 28, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

At approximately **5:15 p.m.** the Planning Commission considered item 17 below.

PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

RE: Golden Gate Park Concourse Authority Projects – Certification of the Final EIR.

SPEAKER(S):

Margaret Mori - ASLA

- She is very concerned with the trees that will be affected by this project.

Ron Miguel - PAR

- Maybe because of his long involvement on this project, he has background knowledge.
- They are willing to get together with the neighborhood and discuss the parking and work the issues out.
- The problems can be worked out.
- Everyone is committed to taking care of the problems.

Cris Duderstadt

- The question here is what type of document the Commission will be putting out.
- The tunnels are deteriorating beyond repair.
- He urges the Commission to get the document correct before approving it.

Greg Miller

- He is a strong advocate for preserving all the trees when this project is constructed.
- The EIR does address the issue of the trees. It states that the removal of the trees will not constitute an impairment of the landmark status.
- He recommended that the Commission look at this closely.

Katherine Howard – ASLA Historic Preservation - Landscape Architect

- The draft EIR states that the landscaping of the project will remove many trees.
- The trees are of historic significance and should be preserved.

Mary Anne Miller

- She believes that the tunnels are a historic resource.
- In the document, it states that the trees are a historic resource.
- She requested that the Commission make a finding today on the issue of the pedestrian tunnels.

Jim Chappell – President of SPUR

- The job of the Commission is to determine if the EIR is accurate and complete. There is no question that this document is complete and should be certified.
- The trees are not part of the project response. Removal of the trees is not part of the project.
- The tunnels will be eliminated for new 21st century use.
- There will be an improvement on the traffic impact.
- He urged the Commission to certify this document.

Sandra Treacy – North Park Neighborhood Association

- She appreciates the improvement measure added to the EIR.
- She has been assured that as the parking garage is implemented there will be recourse remedies.

John Laskin

- He is in favor of parking garages.

Nancy Conner – Golden Gate Concourse Authority

- Since May of 1999, there have been meetings at City Hall; there have been neighborhood design meetings, etc.
- She also loves trees but the plan that is referenced in the comments and responses is not part of the document that is up for certification today.
- She is also concerned of what the park will look like in the future.
- She feels that the garage solution is inconspicuous, effective and will be a great boom for future generations.

Carolyn Blair – SF Tree Council – Urban Forest Council Member

- She is confused because the Environmental Impact Report states the removal of the trees.
- The public has clearly made it known that there is a concern about the trees.
- She would like to have removed the statements related to the removal of trees before the document is certified.

Terry Milne

- He would like to commend the previous speaker's remarks.
- He hopes that this Commission will do something about it so that this project will not go on for years.

Tom Harramy

- This process has not been going as well as proponents have tried to make the Commission believe.
- Right now there is a will, so now the Commission needs to find the way.
- The EIR should be brought up to what was promised.

Michael Burke

- The Commission is not approving a particular project. What is before the Commission is if the document should be certified or not.
- No one is proposing to remove any trees from the Concourse.
- There are now 85 holes where trees have died, these trees would be replaced if the project is implemented.

Catherine Roberts

- She is glad that the Commission rejected this EIR.
- This is a public park and there are public resources at stake here.
- She is really concerned with pedestrian safety.
- She is concerned that parking spaces will be taken out from the park and there is no indication of where they will be put.

Josey Mooney – President of the San Francisco Labor Council

- She urged the Commission to certify the EIR.
- Everyone should be able to have access to the park. It is important for families to come to the park by car and park there.

17. 2001.911E

(J. NAVARRETE: (415) 558-5975)

GOLDEN GATE PARK CONCOURSE AUTHORITY PROJECTS - Certification of the Final Environmental Impact Report (FEIR) - The site is between the California Academy of Sciences and the M.H. de Young Museum in Golden Gate Park, called the Music Concourse area. In 1998, voters of San Francisco approved Proposition J, Golden Gate Park Revitalization Act, to improve the landscape and pedestrian environment of the Music Concourse area. Phase I of the proposed project would include an underground parking facility of 800 to 1,000 spaces at the Music Concourse, surface improvements, and transportation improvements in the Concourse area, and throughout Golden Gate Park, as described in Proposition J. Proposition J requires removal of surface parking spaces from the Concourse area, and in locations throughout the Park, equivalent to the number of spaces provided in the new underground parking facility upon completion of the parking facility. In addition to the underground parking facility, the Transportation Implementation Plan includes the following elements: intra-park shuttle, cultural shuttle, traffic calming, parking management, bicycle and pedestrian improvements, road closures, and MUNI service improvements. Phase II of the project would entail construction of an Underground Through Street connecting Fulton Street to Middle Drive East, which would allow for through traffic to be restricted or eliminated from Tea Garden Drive and Academy Drive. The proposed underground roadway would ramp down at Eighth Avenue at Kennedy Drive and would extend beneath the east end of the Concourse and alongside the east side of the California Academy of Sciences, where it would ramp up to Middle Drive East. This underground street would not provide access into the parking garage and would be intended to reduce cross-park vehicular traffic through the Music Concourse. The project site is within the P (Public Use) zoning district and within an OS (Open Space) Height and Bulk District; Assessor's Block 1700, Lot 1. Since publication of the Draft EIR, the Executive Director of the Project Sponsor, Concourse Authority, notified the Planning Department that the preferred project as analyzed in the DEIR has been revised. The project, as revised, consists of Phase I, the Underground Parking Facility, and the Transportation Improvement Measures ("TIP"),

both as analyzed as part of the preferred project in the DEIR. Phase II, the Underground Through Street, has been severed from the project and removed from further consideration. As a consequence, the preferred project, as revised, is Phase I and the TIP elements only. This project was identified in the DEIR as Alternative B. With the severance of Phase II, the project, as revised, has no physical environmental impact on the historic character of the Rhododendron Dell, an area of Golden Gate Park considered individually eligible for listing on the California Register of Historical Resources. As a result, the project, as revised, has eliminated the significant unavoidable impact to this resource that was identified in the DEIR.

Preliminary Recommendation: Certify the EIR as a Final EIR. Please note the public review period for the DEIR ended at 5:00 pm, February 5, 2003. **Public hearing has been closed.**

NOTE: On July 17, 2003, the Commission passed a motion of intent to not Certify the EIR by a vote of +6-0. Commissioner Boyd absent.

SPEAKER(S): None

ACTION: EIR Certified

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

NAYES: Feldstein

MOTION: 16620

E. REGULAR CALENDAR - CONTINUED

18. 2000.1073E (B. HELBER: (415) 558-5968)
201 FOLSOM STREET - Certification of Final Environmental Impact Report (FEIR) -
 The rezoning of parcels in the Rincon Hill neighborhood (the "rezoning project") and a residential development of approximately 1,500,000 gross square feet (gsf) at 201 Folsom Street (the "development" project). The property is currently used as a paved parking lot by the United States Postal Service (USPS) Annex and other government agencies for 270 vehicles. The rezoning project includes rezoning part of Lot 1 in Assessor's Block 3746 and Lots 1 and 8 in Assessor's Block 3745 from the existing P (Public) to a zoning district that allows private development. The requested rezoning is from P (Public) with height limits of 150 and 200 feet to RC-4 (Residential-Commercial Combined: High-Density) with a 300- and 400-foot height limit. In addition, a Planning Code text amendment is requested to create a new Residential/Commercial sub-district under the Rincon Hill Special Use District overlay, and amendments to the *Rincon Hill Area Plan*, a part of the *San Francisco General Plan*. The request for rezoning has been made in conjunction with development proposed at 300 Spear Street on Assessor's Block 3745, Lot 1, that would be a part of the rezoned area. The third parcel requested to be rezoned is 345 Main Street, Lot 8 in Assessor's Block 3745, the remaining privately owned lot in the existing P district. The development portion of the project would consist of up to 725 residential units (about 825,000 gsf) and about 38,000 gsf of retail space. It would include about 753 enclosed parking spaces and four loading spaces for the use of the development, and about 272 enclosed replacement parking spaces for the use of the USPS and other government agencies. An 80-foot-tall building base would cover the site. Two residential towers would rise above the building base to total heights of approximately 350 feet and 400 feet above the ground level. The project would require a subdivision of Lot 1 to separate the development site from the Postal Service Annex.
 Preliminary Recommendation: Certify the EIR as a Final EIR. Please note that the public review period for the Draft EIR ended at 5 pm, December 2, 2002. **Public Hearing Closed.**
 (Continued from Regular Meeting of June 26, 2003)

SPEAKER(S):

(+) Jim Chappell – President of SPUR

- He has read and studied the EIRs in reasonable detail and he is confident that they are adequate and correct and should be certified.
- There is a terrible shortage of housing and this is causing families to leave the city.
- There are singles that are doubling, tripling and quadrupling in units because they cannot afford to live in single units.
- He hopes that the Commission will certify the EIRs.

(+) Jeffery Leibovitz

- The EIRs only state that the projects will not shadow South Park.
- Revenue needs to be captured from these projects.
- The EIRs are not adequately addressing the impacts this will have on the Park and Recreation properties in the Rincon Hill neighborhoods.
- The immediate parks don't have adequate facilities, and that is what he is asking the Commission to do.

(-) Reed Bement – President of the Rincon Hill Neighborhood Association

- He urges the Commission to "do the right thing".
- He believes in this area and that is why he lives there. This area should be developed.
- These projects are not in a position to be developed.
- There are still a lot of matters that have not been discussed in the EIRs.

(-) Andrew Brooks – General Manager of Baycrest Residential Association

- The Comment and Responses section of the EIR under the visual quality and urban design section shows photo simulations of alternatives B, C and D. However, all of the viewpoint locations called for in the EIR were not added.
- In the Transportation section of the EIR: under the Intersection Operating Conditions, it states that turning movement volumes were counted prior to the closure of Beale Street. CEQA requires the EIR to represent conditions as they currently exist at the time of evaluation and/or approval. New updated figures need to be included to give an accurate representation of Intersection Levels of Service. Under the Construction Traffic section, it states that the Giants Ballpark construction was not identified as a significant impact. This response is not accurate and is in error.

(-) Patrick Malone – Rincon Hill Residents

- He is here to support the Rincon Hill neighbors and request that you not certify the EIR.
- Public input has not been given and there is no comprehensive plan.
- The EIR is insufficient because it fails to adequately address the cumulative affects on the construction of the projects.
- It does not address the Bay Bridge retrofit project.
- It does not address the traffic problems that were set by the 9/11 incident.

(-) Bobbie Carter

- She lives in the SOMA area.
- She is very concerned about the EIR.
- One of the greatest concerns she has is the height of the buildings. Forty stories will definitely impact the neighborhood.
- This is a very limited area in the city that should be preserved.
- There are many issues that need to be addressed so she urges the Commission to not certify this document.

(-) Henry Kleinhenz - Baycrest

- Many of the residents who live in Rincon Hill are not against development or housing.
- Whatever projects go on should conform to the existing density that is already established in the Rincon Hill plan.
- He is very concerned that there will be four buildings that are too tall.

(-) Sue Hestor

- There is a lack of a plan or an analysis of this EIR.
- The EIR slides over the issue that there is no plan.
- There are other developments in the area which are either going on or are planned yet they are not mentioned in the EIR.

(-) Jo Howard

- She asked the Commission to seriously look at the impact of changing the height limit for a specific project before Rincon Hill has been evaluated.
- It is unfair to give the benefit to developers, to have more units with higher heights in the area.
- The financial district is the financial district but this project is residential housing.

ACTION: Passed a Motion of Intent to approve certification. Final language September 4, 2003.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes
NAYES: S. Lee
ABSENT: W. Lee

19. 2000.1090E (B. HELBER: (415) 558-5968)
300 SPEAR STREET - Certification of Final Environmental Impact Report (FEIR) -
 The project includes rezoning of parcels in the Rincon Hill neighborhood (the "rezoning project") and a mixed-use development of approximately 1,560,000 gross square feet (gsf) at 300 Spear Street (the "development project"). The property is currently used as a paved parking lot for 290 vehicles. The property was formerly owned by Caltrans and under lease to Golden Gate Transit for daytime commuter bus layovers. Golden Gate Transit buses were relocated a few blocks away in 2000. The rezoning project includes rezoning Lots 1 and 8 in Assessor's Block 3745, and part of Lot 1 in Assessor's Block 3746 from the existing P (Public) to a zoning district that allows private development. The requested rezoning is from P (Public) with height limits of 105, 150 and 200 feet to RC-4 (Residential-Commercial Combined: High Density) with 300- and 400-foot height limits. In addition, a Planning Code text amendment is requested to create a new Residential/Commercial subdistrict under the Rincon Hill Special Use District overlay, and amendments to the Rincon Hill Area Plan, a part of the San Francisco General Plan. The request for rezoning has been made in conjunction with the proposed development at 201 Folsom Street on Assessor's Block 3746, Lot 1, that would be a part of the rezoned area. The third parcel requested to be rezoned is 345 Main Street, Lot 8 in Assessor's Block 3745, the remaining privately owned lot in the existing P district. The development portion of the project would consist of up to 820 residential units, about 36,000 gsf of retail and about 890 underground parking spaces. Two 80-foot-tall building bases would be built to the property lines on Spear, Folsom and Main Streets; the building bases would surround a landscaped courtyard beginning at the courtyard (third) level. Two residential towers would rise above the building bases to total heights of approximately 350 feet and 400 feet above the ground level, respectively.
 Preliminary Recommendation: Certify the EIR as a Final EIR. Please note that the public review period for the Draft EIR ended at 5 pm, December 2, 2002. **Public Hearing Closed.**
 (Continued from Regular Meeting of June 26, 2003)

SPEAKER(S): Same as those listed for item 18.
ACTION: Passed a Motion of Intent to approve certification. Final language September 4, 2003.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes
NAYES: S. Lee
ABSENT: W. Lee

- 20a. 2000.1326MZT (M. SNYDER: (415) 558-6891)
300 SPEAR STREET, 160 HARRISON STREET (aka 365 MAIN STREET), AND 201 FOLSOM STREET (aka 314-390 MAIN STREET) - the northern half of the block bounded by Folsom, Spear Street, Harrison Street, and Main Street, Lot 1 in Assessor's Block 3745; the northeast corner of Harrison Street and Main Street, Lot 8 in Assessor's Block 3745; and the northern half of the block bounded by Harrison Street, Beale Street,

Folsom Street, and Main Street, the northern half of Lot 1 in Assessor's Block 3746, respectively -- Zoning Reclassification of Property, Planning Code Text Change, and General Plan Amendments sought. The applicants have requested approvals for: (1) the reclassification of these properties from P (Public) to RC-4 (Residential-Commercial Combined, High Density), Districts and the establishment of a "Residential/Commercial Sub-district" within the Rincon Hill Special Use District under Section 249.1 of the Planning Code, pursuant to Section 302 of the Planning Code; (2) the adoption of amendments to the Rincon Hill Area Plan (part of the General Plan) pursuant to Section 340 of the Planning Code; (3) the adoption of modifications to the existing height and bulk limits, including increasing the current height limits from 200-feet, 150-feet and 105 feet to 400 feet for 201 Folsom Street and 300 Spear Street; and from 105 feet to 300 feet for 160 Harrison Street; and (4) the adoption of text change amendments to the Planning Code and General Plan that would change the requirements for density, use, usable open space, parking, parking location, street frontage, site coverage, tower separation and dwelling unit exposure, and other matters at the subject sites.

Preliminary Recommendation: Adopt a Resolution Recommending to the Board of Supervisor's Approval of the Proposed Text, Map and General Plan Changes.

(Continued from Regular Meeting of June 26, 2003)

SPEAKER(S):

(+) Clark Manus

- He gave a powerpoint presentation on the merits of the project.

(+) Jim Chappell – President of SPUR

- There must be a public plan for improvements. There have been several changes to these projects in the last several weeks.

- The intent of the Rincon Hill plan includes tall buildings.

- Supply and demand works, and San Francisco really needs the supply of housing.

- He urges the Commission to approve these projects with conditions.

(+) Carl Shannon – Tishman Speyer Properties

- There is an empty lot that is zoned public, which is essential to the City because it will create housing--pecifically affordable housing. This project is near public transportation and will make the neighborhood works.

- Union jobs will be created.

- The project will incorporate the needs of the United Postal Service and will have retail as well.

- This project will permanently enhance property tax roles.

(+) Martin Dalton – Union Property Capital

- The area should be rezoned to include residential.

- There were 50 public meetings and the City conducted various meetings as well.

- The project creates up to 820 units, up to 140 affordable units, retail, public open space, union jobs and an enhanced streetscape.

- This project will enliven the City as well as Rincon Hill.

(+) Barbara French

- Since they began their community outreach, they contacted about 80 community organizations.

- As a result, they produced an outreach packet that include 18 written endorsements from various organizations.

(+) Amee Albertson – SF Chamber of Commerce

- The San Francisco workforce needs a place to live.

- Companies want to locate where they can find a good workforce.

- All this cannot happen if the amount of housing is not increased.

- The project will allow density in transit corridors.

(+) Stan Warren – San Francisco Building and Construction Trades Council

- Various projects were constructed with the best craftsmanship.

- These projects offer long-term benefits to the City.

(+) Mike Theriault – Iron Workers Union

- These are beautiful projects that will benefit the City greatly.

(+) Doug Perry – Building and Construction Trades Council

- The projects are good for the economy of the City as a whole.

- Employment has declined and this project will provide quality jobs to many people.

- San Francisco should maintain its regional importance in the Bay Area in regards to jobs.

(+) Jim Salinas – Carpenters Local 22

- He is here representing thousands of carpenter union workers.

- It has been his desire to always remain in San Francisco.

- He is asking for the support of the Commission to approve this project and allow jobs to be developed.

(+) Alexander Clemens – City Car Share

- He read a letter from a member of the public who could not stay but is in support of the projects.

- He also read a statement from Kate White who also could not stay but is in support of the projects.

(+) Michael Sweet

- He is a resident of South Beach.

- He is a strong advocate for this project because it will build more housing in the center of the City.

- Currently there are thousands of units in deficit in the City.

(+) Jeff Leibovitz

- He is not concerned about the loss of view he will have because of this project.

- He is concerned about the process of this project.

- He feels that this project will be appealed at the Board of Supervisors, so he asks that the Commission be very thoughtful in their deliberations. The Commission needs to be ready to standup when the time comes when this project is appealed at the Board of Supervisors, otherwise this project is destined for failure.

(+) Rev. Arelious Walker – Faith Based Housing

- Recently there were a number of units approved near the church where he is pastor.

- He asks the developers of this project not to forget the low-income residents of the various neighborhoods in San Francisco.

- This project should be approved because it will allow affordable housing units.

(+) Rev. Ted Frazier

- If there is housing in this area, it will not go to waste.

- He is speaking in favor of these projects going forward.

- He has not heard of anyone making history by doing nothing.

(+) Carl Alexander

- This project has a domino affect for the Bay View community.

- He would love to move back to San Francisco and this would be an opportunity to bring young folks back.

(+) Rev. Arnold Townsend – Faith Based Housing

- Most of the points have been made.

- This project is extremely important for San Francisco because there is a housing crisis going on.

- Yes, this project is different but is beneficial.

- It is important for working class folk to have the opportunity to purchase a home.

(+) Alvin Selva – Bayview Hope Housing

- He is in support of this project because it will allow he and his wife to own a home.

- He and his wife make too much money to be allowed grants, but do not make enough to purchase market rate housing.

- This location will allow for his family to be near homes and churches.

(+) Ricardo Bell

- He is a potential homebuyer.
- He and his wife have been looking to purchase a home for the last three years and this project will give them an opportunity to do so.
- He hopes that the Commission will approve this project.

(+) Rev. Eugene Lumpkin

- Almost every month people come to him announcing that they will be moving because they could not purchase a home.
- He is looking forward to retiring and this would be an opportunity for him to purchase a home.

(+) Dave Figueroa

- He was born and raised in San Francisco.
- This project will be 100% union.
- People that will live here will be able to walk or take public transportation to work.

(+) Judith Patterson – South Bay/South Beach Citizen's Advisory Committee

- She is a fourth generation San Franciscan.
- Her husband and son work in the City.
- She is in support of these projects if they are done correctly.
- There's been no mention about schools in the neighborhood. Most of the units are two bedrooms. There are not that many units that have three bedrooms.
- The public meetings were presentations, there was no room for creative thinking or talk about what the neighborhood wants or needs.
- These buildings are too high.

(+) Shawn Leonard - NCCRC

- Rincon Hill is an underutilized neighborhood.
- The project will give a boost to the local economy.
- She urges the Commission to approve this project without further delay.

(+) George Williams - SPUR

- What is proposed now is the next logical evolution of what was proposed in 1989.
- These projects will provide lots of housing and are very well designed.
- His concern is that there is a need to make Rincon Hill a real neighborhood.
- What is needed is a sense of how the whole neighborhood will be improved.

(-) Patrick Malone

- Planners should plan for San Francisco and not for other cities.
- Although there is a need to create union jobs, these projects will last forever and should not be taken lightly.
- Development in Rincon Hill is necessary but this is just piece-meal rezoning of certain parcels.
- He is asking to be part of the community planning process for this area.
- This project is not good for the neighborhood.

(-) Reed Bement – President of the Rincon Hill Neighborhood Association

- He believes in high density housing but this area is not a "waste land".
- The area has developed quite nicely, but if there are to be improvements, they should be planned out intelligently.
- The towers totally overwhelm everything in the area.
- The towers will also create a visual block to people coming into the City.
- There are still many problems to deal with.

(+) Tim Tosta – Steefel, Levit and Weiss

- There is a list of schools that are nearby.
- They have carefully developed the plans for these projects over a number of years.

(-) Dorothy Dana

- This project, of course, will provide jobs, low-income housing, etc.
- This is not housing that will be affordable.
- Spot zoning should not be allowed just because these units supposedly will be affordable.

(-) Bobbi Carter

- She read a letter from Supervisor Chris Daly who is not supporting these projects.
- She read a letter from a member of San Francisco Beautiful who is not in support of this project.
- The area should be developed in a smart way.

(-) Sue Hestor – Rincon Hill Residents Association

- The last community meeting of Rincon Hill was July of 2001. Nearly two years. Yet according to the developers, they have been having monthly meetings with planning staff.
- This is all backwards. There is no comprehensive plan related to how pedestrians are going to move through this large area.
- How is there going to be open and desirable space?
- People are going to get in their cars and drive a couple of miles to get someplace and the Planning Department does not have a plan for this.

ACTION: Passed a motion of intent to approve.
Final Language September 4, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes

NAYES: S. Lee

ABSENT: W. Lee

- 20b. 2000.1073C (M. SNYDER: (415) 558-6891)
201 FOLSOM STREET (aka 314-390 MAIN STREET) - the northern half of the block bounded by Folsom Street to the north, Main Street to the east, Harrison Street to the south, and Beale Street to the west, Lot 1 in Assessor's Block 3746 - Request for conditional use authorization pursuant to Planning Code Sections 303 and 253 to allow construction of a building taller than 40 feet in an R (Residential) District. The proposed Project would consist of up to 820 residential units in about 775,000 gross square feet, about 38,000 gross square feet of retail space, and up to 845 off-street parking spaces for the residential and retail uses and up to 272 replacement parking spaces for United States Postal Service. The project would include two towers that would be approximately 400 and 350-feet tall. The project is currently within a P (Public) District and within 200-R and 150-R Height and Bulk Districts. (A Public Hearing for a Planning Code Text, Map and General Plan Amendments for this site will be considered immediately before this hearing).
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of June 26, 2003)

SPEAKER(S): Same as those listed for Item 20a.

ACTION: Passed a motion of intent to approve. Final Language September 4, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes

NAYES: S. Lee

ABSENT: W. Lee

- 20c. 2000.1090C (M. SNYDER: (415) 558-6891)
300 SPEAR STREET - the northern half of the block bounded by Folsom Street to the north, Spear Street to the east, Harrison Street to the south, and Main Street to the west, Lot 1 in Assessor's Block 3745 - Request for (1) conditional use authorization pursuant to Planning Code Section 303 and 253 to allow construction of a building taller than 40 feet in an R (Residential) District; and (2) an exception under Section 271 of the Planning Code to permit the project to exceed the maximum plan length. The proposed project would consist of up to 820 residential units in about 910,000 gross square feet, about 35,000 gross square feet of retail space, and up to 890 underground parking spaces. The Project would include two residential high-rises with overall heights of approximately 400 and 350 feet; and two lower buildings with an overall height of 85 feet.

The project is currently within a P (Public) District and within 200-R and 105-R Height and Bulk Districts. (A Public Hearing for a Planning Code Text, Map and General Plan Amendments for this site will be considered immediately before this hearing)
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of June 26, 2003)

SPEAKER(S): See Speakers for Item 20a.

ACTION: Passed a motion of intent to approve. Final Language September 4, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes

NAYES: S. Lee

ABSENT: W. Lee

21. 2003.0376C (M. SMITH: (415) 558-6322)
5630 MISSION STREET - north side of the street between Naglee and Whipple Avenues, Lot 012 in Assessor's Block 7098 - Request by Verizon Wireless for Conditional Use Authorization under Planning Code Section 711.83 to install eight (8) antennas on the rooftop and associated equipment cabinets within the interior storage room of a motel (The Mission Inn) located in a NC-2 (Small-Scale Neighborhood Commercial District) and 40-X Height and Bulk District. Per the City and County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a location Preference 4 site as it is a wholly commercial building within a NC-2 District.
Preliminary Recommendation: Approval with Conditions.

SPEAKER(S): None

ACTION: Without hearing, item continued to August 28, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

22. 2002.0913C (G. NELSON: (415) 558-6257)
2001 UNION STREET - southwest corner at the intersection of Union and Buchanan Streets; Lot 024 in Assessor's Block 0541 - Request for Conditional Use authorization pursuant to Section 725.83, of the Planning Code to install six (6) cellular antennas and five (5) related equipment cabinets on the roof of the Union Street Plaza Building, as part of Sprint PCS' telecommunications network within the Union Street Neighborhood Commercial District and a 40-X Height and Bulk District. The proposed antennas would be flush mounted to an existing rooftop penthouse, and the related equipment would be housed in a new mechanical penthouse that would be partially visible from the street below. The site is considered a Preference 2 under the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines, as it is a "co-location" site. However, due to a prior Planning Commission action and approved Motion No. 16084 for case no 2000.0385C the site had been deemed a Preference 6. The Planning Commission will consider under which Preference (2 or 6) to review the application. Sprint has also modified the location of the proposed rooftop mechanical penthouse from their original proposal.
Preliminary Recommendation: Approval with Conditions
(Continued from regular meeting of June 12, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to August 28, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 11:28 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 11, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd and Feldstein

0
1/03
real

SAN FRANCISCO PLANNING COMMISSION Special Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, July 31, 2003

1:30 PM

Special Meeting

DOCUMENTS DEPT.

SEP 23 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Edgar E. Boyd, Kevin Hughes, Lisa Feldstein,
Sue Lee, William L. Lee

COMMISSIONERS ABSENT: Shelley Bradford Bell

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT ANTONINI AT 1:33 p.m.

STAFF IN ATTENDANCE: Gerald Green - Director; Larry Badiner - Zoning Administrator; Judy Boyajian - Deputy City Attorney; Kay Simonson; Geoffrey Nelson; Ben Fu; Tom Wang; Tina Tam; Dario Jones; Carol Roos; Adam Light; David Alumbaugh; Matt Snyder; Mark Luellen; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

B. COMMISSIONERS' QUESTIONS AND MATTERS

1. Commission Comments/Questions

Re: Status of Director Green's Departure

Commissioner Feldstein:

Last week I requested that the city attorney provide an opinion on Director Green's comments about his departure. We have received that but have not had a chance to review it so I wanted to know if it would be appropriate for the City Attorney to walk us through what we have been handed?

Commissioner Antonini:

That would be all right with me.

Deputy City Attorney, Judy Boyajian:

Commissioners, a lot of the opinion is a description of the legal laws and Charter requirements that apply to the Director's leave and the appointment of people to perform some assigned functions while he is away. I think the short summary at the beginning pretty well sets out the conclusion of the City Attorney, which is that the leave of absence is a policy matter subject to the approval or disapproval of the Commission--the appointing authority. There was some confusion last week I think about who does the appointment, the Mayor or Commission.

When there is a vacancy in the office of the Planning Director, the Mayor and the Commission share the appointment. The Commission sends over three names and the Mayor selects from that list. There is no vacancy, as I understand it. He will retain the office, he will still be the Planning Director so there is no vacancy.

The Commission only has the authority to remove the Director. The Mayor can only request that the Commission remove the Director. So because you have the power to remove or retain the Director, that makes you the appointing authority for the purposes of approving a leave. The Director, as the Director has authority to assign certain duties to be performed while he is away. It is within his discretion to select a member of the staff to perform those functions that he can delegate while he is absent.

Commissioner Feldstein:

So did you say it is the Mayor's responsibility to approve the leave or it's the Commission?

Deputy City Attorney:

The Commission's.

Commissioner Feldstein:

So that is an action that we have not taken.

Deputy City Attorney:

Well, you have not disapproved it. I don't think you need to take a formal {action}. It's sort of like the Director going on a long, long vacation. I do not think you need a formal act to approve or disapprove. But it is clearly at your pleasure whether you think that the Director can perform the function of Director as he slated out. He believes he can. It is my understanding that he will be back a week a month and be in constant communication.

Commissioner Feldstein:

So would it be the opinion of the Office of the City Attorney that the Director is supposed to make that request of the Commission so that the Commission can evaluate whether or not the Director can perform those functions and make that determination? The fact that we have neither made nor approved or disapproved the Director's leave is because we have not actually had this discussion.

Deputy City Attorney:

Exactly. I know that I heard the Director make this announcement many months ago. I guess there was some unclarity about who's decision it was. I do not believe you need to take ... He needs to make an official request or an official formal action on your calendar. I think it's at your pleasure. Someone wanted to put it on the calendar, you could debate it and act on it. I don't think that is a legal requirement.

Commissioner Feldstein:

Okay, I will for the fourth time request that this item be calendared for discussion. I do not need to make a motion. Thank you, Ms. Boyajian.

Deputy City Attorney:

We also, in the opinion, did indicate that the Director was fully in power to discuss this with the Mayor and get the Mayor's input. There is no problem with that at all. But, it's the Director's decision who to assign as Acting Director and Acting Zoning Administrator.

Commissioner Feldstein:

So, the Mayor has input, if the Director seeks the input. The Mayor has input into who the Acting Director and Acting Zoning Administrator is but he [the Director] is not required to seek that input.

Deputy City Attorney:

No, he can ask – the Director can seek the input of anyone he wishes in that decision.

Commissioner Feldstein:

So, the Mayor did not make this decision?

Deputy City Attorney:

It is my understanding that the Mayor did not make this decision. Maybe the Director will clarify that in his Director announcements.

Commissioner Feldstein:

I believe that the Director was clear about this point last week. And perhaps the Director wishes to clarify the statements he made last week. But what I am looking for is an actual legal opinion about the Director's status in this decision making process. And, what you are saying, as I understand it, is that to the best of your understanding this is what occurred. And what I am trying to understand is what is supposed to occur. Whether or not what you understood to have occurred is consistent with what was to have occurred.

Deputy City Attorney:

Yes. It is consistent with what... My understanding is that what occurred was consistent with what should have occurred. The only thing that seems to be unclear is whether the Commission wants to take some formal action on it or just let it be, or not object to the leave.

Commissioner Feldstein:

All right. I have asked, not during Commissioner comments, but I have asked staff to calendar this item before and it has not been calendared to date. Hopefully that will occur at this time.

Commissioner Hughes:

Well, I just would like to comment briefly on the leave of Director Green. San Francisco, in my opinion, is one of, or the best city in the country. And when institutions like Harvard have the ability to look at comparable cities that have the same sort of complexities and competing interests, that they have a pool of applicants that are well qualified and highly qualified, that they would select and offer that position or that Fellowship to Director Green, I believe this says an awful lot about his ability and his reputation as a Director. To be recognized by an institution like Harvard, I think is something that is really commendable and should not, in my opinion ... Well what should happen is that you should be able to pursue a Fellowship at a institution like Harvard would be my thoughts on that.

Commissioner Feldstein:

Re: Changes in CEQA Laws

- She requested a briefing from the City Attorney's office related to CEQA and what actions the Board can take and what votes are required to take specific actions related to projects, etc.

Commissioner Antonini:

Re: Calendar for September

- A point of clarification on the calendar: During September we will alternate weeks between Discretionary Reviews (DR) and Conditional Use (CU) cases. It is his understanding that on some days DRs will be heard first and if time permits, there will be CUs at the end, and the next week it would be reversed. This will be a trial for September and after that it will be at the pleasure of the Chair.
- This will be on a trial method and [we] may or may not return to the regular way projects have been scheduled.

Commission Secretary responded to Commissioner Antonini's Comment:

- On the days where there are Discretionary Review cases there will not be Conditional Uses or any other matters scheduled on the calendar. The alternating days will be on the types of cases. So Discretionary Reviews will be scheduled together on one date and Conditional Uses/Other Matters will be scheduled on another date--not both on the same day.

Re: Director Green's Departure

- He wished Director Green well and is happy to work with Acting Director Badiner.

Commissioner Sue Lee:

Re: Discussion on Director Green's Leave Scheduled

- She agrees that it is important to have this issue scheduled because the public needs to know what is the "trickle down" effect of Director Green leaving the Department. To her, the issue of the Commission taking an action is irrelevant.

Commissioner Bill Lee:

Re: Job Performance Reviews

- He would like to have scheduled the job performance review for Planning Commission staff and this should be done on a yearly basis.

RE: Budget

- He requested budget information and an organizational chart of the Department.
- He would like to know what money was appropriated to meet the goals/objectives of the Department for this year.
- He is still confused on what the priorities of the Department are and what are the priorities of the Commission.

Director Green Responded to Commissioner Bill Lee's Comment:

- The Commission does have an organizational chart in the work program and there will be a hearing in the near future to set the priorities.

Commissioner Hughes:

Re: Director Green's Departure

- Is today the last hearing the Director will be in attendance?
- Is there an estimated date of return?

Director Green Responded to Commissioner Hughes's Comment:

- This is the last hearing.
- The program ends in June 2004 and if given the opportunity he would like to return to the Department.
- There is always the opportunity to review this issue.

Commissioner Feldstein:

- Will the Director let the Commission know in advance when he will be returning and what Commission hearing dates he will be attending?

Director Green Responded to Commissioner Feldstein's Question:

- He will provide this information to the Commission. He will be back in October, November and December and January will not be consistent.
- A calendar will be printed for staff, and the Commission will be provided with this information.

Nilka Julio – Local 21*Re: Director Green's Departure*

- She thanked the Commission for asking questions that support the participatory process. This is the reason there are commissions.
- On behalf of the Union, she wished Director Green well on his endeavors and offered her assistance to Acting Director Badiner.

C. DIRECTOR'S REPORT**2. Director's Announcements***Re: His Departure*

- It was never his intent to confuse, mislead or to add to any tension or difficulty.
- He thought he had all the information.
- He has not had time to review the information provide by the Deputy City Attorney.
- His departure is a leave and he apologized for anything that was misleading.
- He has worked out an arrangement with the Fellowship so that he can return to the office one week out of the month.
- He hopes that the Commission will schedule the discussion on this issue on the days where he will be at the Department.

Re: Future Calendars

- September 4, would be projects that require Conditional Use, Environmental Review Appeals, etc. and September 11 would be a date for Discretionary Reviews only.
- On days where Discretionary Reviews are scheduled, he hopes that the Commission will agree to schedule presentations/briefings that don't require an action but may help on deliberation for future cases.

Re: Housing Element

- The 18th and 25th of September would be target dates to schedule this issue.
- If the Commission requires this issue to be discussed on the 18th of September then the alternating schedule will be moved back. If the decision is to hear this on the 25th of September then there would be no problem as it falls in line with his previous suggestion to hear non-action items on dates reserved for Discretionary Reviews.

Marilyn Amini:

- She requests that the hearing on the housing element not be before October and not to close public comment until San Francisco residents have adequate notice.
- Daily, she meets people that have not heard about the housing element being scheduled.

**3. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS - None****BOA - None**

4. Set future public hearing to receive further public testimony on the Residence Element.
- August 18, 2003 or August 25, 2003 are proposed dates to have this item scheduled.

SPEAKER(S):**Sheila Mahoney**

- She owns her home on Duncan Street.
- She is concerned about the proposed density height and bulk. If the Residence Element were allowed, there would be no opportunity for the community to comment.
- She is asking for official notification for property owners who live in a neighborhood commercial district.

Marilou Lascari

- She agrees with the previous speaker.
- There should be proper notification for property owners so that there could be input on the Residence Element.
- She thanks the Commission and the department for the care they have taken so far on this issue.
- If there are no resources to make changes to the code, it should not be done until it's done properly.

Jeff Hagan – Francisco Heights Civic Association

- He proposed a special hearing on Saturday which would enable concerned parties who cannot take days off from work.
- He recommended October 4, 2003 as a Saturday for this hearing.
- Transit corridor has not been defined so it would be good to clarify this during the hearing.

Allison Howard – Francisco Heights Civic Association

- She requested more hearing on this issue. She is part of a homeowner's association and did not know about this issue.
- She agrees with having a hearing on a Saturday.
- She asked to extend the public hearing and to notify the public.

Eileen Boken

- She requested to keep the public comment process open.
- She would also like to have a hearing on this issue in November or December of this year.

Mary Beth Starzel

- She lives in the Richmond District.
- She urged the Commission to have more than one single hearing on an issue this enormous.
- This is too immense for just one public hearing.
- It is important to have clear and coherent language that means the same to everyone.
- This document has out of date statistical data and it should not be approved yet.

Rebecca Silverberg – Council of District Merchants

- She is here representing the Council of District Merchants.
- There are a lot of issues that the Commission has not dealt with: parking near small business, owning a small business, etc.

Sue Hestor

- She does want this process to be over, but she would like things to be done correctly.
- It is important to do creative things with the calendars because items like these need to call out attention to the public.
- It is time for staff to straighten out the notice process.

Maria Sousa

- She supports additional hearings on this issue.
- She does not support a hearing on October 4, 2003 because additional Commissioners will have comments and a new version will be issued.

- She supports a hearing on a Saturday but only if more people who are affected actually get a version of the Housing Element.

Paula Romanovsky – Francisco Heights Neighborhood Association

- She asked for more time and more hearings in order for the public to find out what this means.
- She is a member of the Board of the San Francisco Education Fund.
- She believes that this housing element will force more families to leave the City, which will cause education to deteriorate.

Steve Currier

- It is important to get the definition of a transit corridor.
- This document takes a lot of time to read.
- The property owners and residents of San Francisco need to be aware of the next meetings.
- He agrees with having two or three hearings on Saturdays.

Andrew Griffin

- This plan is nothing but a first class railroad job.
- The October 4 date should be in 2004.

ACTION: Schedule the Housing Element for October 9, 2003 starting at 5:00 p.m. with a regular calendar starting at 1:30 p.m.
AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Boyd

D. DISCRETIONARY REVIEW HEARING

Procedures governing DR Hearings are as follow: DR Requestor(s) are provided with up to five (5) minutes for a presentation and those in support of the DR Requestor(s) are provided with up to three (3) minutes each. The Project Sponsor is then provided with up to five (5) minutes for a presentation and those in support of the project are provided with up to three (3) minutes each. At the conclusion, each side (not each person) is provided with 2 minutes for a rebuttal.

5. 2003.0519D (K. SIMONSON: 415-558-6321)
1111 STANYAN STREET - west side between Parnassus Avenue and Grattan Street, Lot 4 in Assessor's Block 2630 – Mandatory Discretionary Review, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2003.02.13.7368, proposing to legalize the merger of two dwelling units to create a single-family dwelling. The subject property is in an RH-3 (Residential, House, Three Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S):

(+) Catherine Kiernat – Project Architect

- They have done extensive research on this house and found that the original plans for the house were of a single-family home.
- This project will have no affect on the housing supply of the City because for the last decade no one has been living in the other unit. So there is no tenant displacement.
- This project is being treated as a historical resource.
- The owner will occupy the units.

(+) Tom Sloan – Project Sponsor

- He is here to answer any questions the Commission has.
- He is restoring the house to its original floor plan.

ACTION: Did not take Discretionary Review and approved the merger
AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

6. 2002.1268D (G. NELSON: (415) 558-6257)
527 23RD AVENUE - west side between Anza and Balboa Streets; Lot 007 in Assessor's Block 1566 - Request for Discretionary Review of Building Permit Application No. 2002.09.05.5649, proposing to construct a two-story horizontal addition at the rear of the single-family dwelling, a new third floor and a partial fourth floor in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposal would create a second dwelling unit and a second off-street parking space.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.
(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S):

(-) Cris Ford

- He displayed an aerial map of the subject property and his home, explaining how the open space in the rear yard would be lessened.
- He displayed photographs of the 30-foot open space in the rear.
- Although the project sponsor has reduced the bulk of the building, there are still concerns about light, air and the way the project splits a great asset of the neighborhood.

(-) April Ford

- It is difficult to try to determine which is a balance in a neighborhood.
- They have done a lot of community work; they have met with neighbors, and community works, etc.
- They are concerned with what is being built in the neighborhood.
- They just want a design that is compatible with the neighborhood.

(-) Ilya Berman

- He is not in support of this project because the structure would block much of the sunlight to his kitchen and bedroom.
- The project will be much taller than his building.
- The scale and bulk are just too large.
- He asked that the new building have an 8-foot clearance from his bedroom windows.
- He asked that a skylight be installed in the rooms that will be affected. This would be at the cost of the project sponsor.

(-) Julia Molander

- She just found out about this yesterday but decided to come to the Commission because she is very concerned about the impacts of this project.
- The unique character of the block is two and three story residences. There are many trees on the block that which are very dear to the neighbors.
- She is concerned that the project is out of line with the roofline and the size of the houses. She is concerned with traffic, safety and health.
- Parking is virtually impossible in the City, and worse in certain neighborhoods.

(-) Steve Williams

- This block has been designated as inappropriate for this type of project.
- This project is two units? There are six and ½ baths.
- The project is just too out of scale.
- The existing unit has to be subject to a notice of special restriction for rent control.

(-) Lisa Bohorquez

- She has lived in the neighborhood since 1995.
- She feels that this is a great place for her to live.
- This neighborhood has a true community feel.
- She is sad to see her neighborhood be divided by a project that dissects the rear yard.

(-) Dane Paderson

- He has lived in a cottage for four years.
- This is a situation of a developer coming in and exceeding the limits of what the Planning Code allows.
- He is in favor of taking Discretionary Review.

(-) John Sun

- He remembers when San Francisco had a low skyline.
- People hated the idea of having a skyline looking like New York.
- He has seen both progress and development in the City. This has brought jobs, people and tourism, but San Francisco is losing its small neighborhood feel.
- Tall buildings should be kept in downtown and not in the neighborhoods.

(+) Jeremy Paul – Representing Project Sponsor

- He gave a PowerPoint presentation on the project.

(+) David Chung

- He apologized for causing such frustration to the neighbors.
- His family is very extensive and this project would allow the family to live together.
- He hopes that the Commission will approve the project.

ACTION: Passed a motion of intent to take Discretionary Review and approve the project with modifications: 1) design refinement to the façade with modifications to the parapets 2) garage should be modified to be deeper in order to better maneuver around the space and add an additional car; 3) eliminate the crawl space to provide that area for parking; 4) reduce the fourth floor back to be equal to the building of the south. Schedule for Final Action on August 21, 2003.

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

7. 2003.0344D

(B. FU: (415) 558-6613)

1222 REVERE AVENUE - north side of Revere Avenue between Hawes and Ingalls Streets, Lot 026 in Assessor's Block 4762 - Mandatory Discretionary Review, under the Planning Commission's Policy requiring review of all residential demolitions, of Demolition Permit Application No. 2002.11.20.1933 proposing to demolish an existing single-family dwelling in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk Designation. There are related proposals for a lot subdivision to create two legal lots, and the construction of two new, two-family, two-story over garage buildings.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Continued from Regular Meeting of June 19, 2003)

SPEAKER(S):**(-) Reza Khoshnevisan – Project Engineer/Designer**

- The condition of this building has deteriorated. Over the years it has been neglected—the roof leaks, damage from seismic activity, and lack of maintenance.
- The foundation on this building is cracked and it's in bad shape.
- The east and west walls along the property lines on two sides are off the foundation so the building needs to be lifted and the floors leveled.
- There are many areas in this structure that are dry-rotted. There is fungus and mold. The footings in the garage area have gone through the garage slab from lack of support. And the floor joists and roof rafters are way under design.
- In order to restore this building, the building needs to be raised. Quite honestly, he is not sure that this building is going to stand this type of movement.

(-) Kurtis Oaks

- He is in complete support of the demolition of this building and two new duplexes being built on this site.
- This project will improve the neighborhood which has been neglected for many, many years.
- When improvements to the neighborhood like this project are approved, people in the neighborhood feel that someone cares about the Bayview District.

(+) Mona Barron

- She is happy to see that this property will have a new face and occupancy, which is badly needed in the neighborhood.
- There are a lot of riffraff and a lot of calls to the police.
- There are children playing on the lot and there is danger that the building would collapse.
- There were a few neighbors who left but are in support of this project.

(+) Paul Barron

- He supports the demolition and construction of this project.

(+) Roque Fernandez

- This property was in a dilapidated condition when he purchased it. The owner was an elderly person and was not able to maintain the building.
- The entire framework has dry rot.
- If there is one property in the City that needs to be demolished it is this one.
- There are no tenants that will be displaced.

ACTION: Took Discretionary Review and approved the project with conditions: 1) increase the garage depth to 30 feet; 2) make an internal connection of the ground level common room so as not to permit an illegal unit on the ground level; 3) flip the two buildings so that the garages are side by side so as to maximize the on-street parking space; 4) mention in the findings the desirability of the units going to section 8 voucher holders and rental.

AYES: Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell, Boyd and Feldstein

8. 2001.0637D (B. FU: (415) 558-6313)
1352 HAMPSHIRE STREET - west side between 25th and 26th Streets - Request for Discretionary Review of Building Permit Application No. 2003.02.13.7451, Lot 7 in Assessor's Block 4275, proposing to add a horizontal and vertical addition to an existing single-family dwelling. One additional dwelling unit is proposed for a total of two units on the lot. The property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.
 (Continued from Regular Meeting of July 17, 2003)

SPEAKER(S):**(-) Shilpa Shonkan – Discretionary Review Requestor**

- The property is actually a two-story building. It is incorrectly stated as a three-story building.
- She is not against property owners doing construction on their homes.
- She realizes that this is a difficult project.
- She has two key issues: 1) the impact on the character of the neighborhood; and 2) the impact on the rear block open space.
- There is also an issue with the reduction of light and air because the project would impact many rooms to her home.
- No matter how this project is modified, she realizes that her view would be block.

(-) Greg Rassmussen

- He does not want to deny the project sponsor to build this project.
- He is just concerned with minimizing the impact of light and air to his property.
- No other buildings on the block have a third floor.
- He would like to have the penthouse removed which would allow for less of an impact on light and air.

(-) Leora Vestell

- She lives one block from the proposed project.
- The project lacks good neighbor design elements.
- The project will have huge impacts on the neighborhood.
- The roof should be similar to the ones on the rest of the homes on the block.
- The DR requestor does not have the funds for a land use lawyer but she hopes that the Commission understands the needs and the impact to the Discretionary Review requestor.

(-) Jennifer Bay

- She supports the property owners right to expand their home but minimizing the structure could reach the objectives requested by the Discretionary Review requestor.
- The project is not compatible with the structures on the street.

(-) Yoke Pearing

- He moved here from Holland in March of this year.
- The unit he occupies has only one window and this window will be impacted by the proposed structure.
- He is afraid that his unit will acquire the feel of a basement.

(+) Dennis Smith – Project Sponsor

- The proposed changes the Discretionary Review requestor is making will not reduce the impact significantly.
- The planning staff states that the building will not be massive and is consistent with the residential design guidelines.
- He has had many meetings with the Discretionary Review requestor and suggested installing [a] skylight to their home.

(+) Lalo Cabral

- This is his mother's property.
- He has tried to compromise with the neighbors many times.
- He is moving into this property to take care of his mother.
- He has two children and his wife, so they really need the space.
- He has spent hours trying to design and build to the best he could and not impact the neighbors.

(+) Mathew Clyne

- He recommends the approval of this project because it will improve the street.
- He does not believe that this project will set a precedent in the neighborhood.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell, Boyd and Feldstein

9. 2003.0389D (T. WANG: (415) 558-6335)
111 LOBOS STREET - south side between Capitol and Plymouth Avenues; Lot 047 in Assessor's Block 7104 – Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.07.15.1446, proposing to demolish an existing two-story, single-family dwelling (the project also proposes to subdivide the existing lot into two separate lots and construct a new two-story, single-family dwelling on each of the two lots) in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to September 11, 2003.

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

10. 2003.0597D (T. TAM: (415) 558-6325)
263 & 265 DOLORES STREET – east side between 15th and 16th Streets; Lot 30 in Block 3556. Discretionary Review request for a Building Permit (No. 2003.02.18.7705s) to allow conversion of existing storage space on the ground floor into a habitable area. The conversion will result in the addition of one new dwelling unit for a total of three units on the subject property. The property is in the RM-1 (Residential, Low Density District) and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary review and approved as submitted.

SPEAKER(S):

(-) Steve Dells

- He lives on Dolores Street next door to the subject project.
- The main concern with the project is the open-air parking and the stairs that would invade his bedroom and his neighbor's dining room.
- This project is contrary to neighbor sensitivity. This project has not been well thought out.

(-) Michelle Leese – Holy Family Day Home

- She has had a licensed day care center on Dolores Street for about nine years.
- She is concerned with the additional parking spaces on Dolores Street.
- They are worried that the noise and fumes of the cars would be very unhealthy for the children and the teachers.
- The day care center does not want to be a bad neighbor but their primary concern is the children.
- She requested that a third party environmental study be done to measure the health risk from fumes that would affect the children.

(-) James Bowsher

- He is a long-time resident of Dolores Street.
- He is in favor of Discretionary Review because he is very concerned about fumes and noise from parking in the rear yard. This would be very close to his dining room.
- There has never been parking at the location proposed.
- He is terrified that this lack of management will be repeated on the other side of the block.
- There have been two "hot" robberies since the developer took over the building.
- He project sponsor finally decided to install a gate. Security is a huge issue.

(+) Simon Quan – Project Architect

- He displayed photographs of the subject property
- He displayed an aerial photograph of the area explaining the location of the parking lot in comparison to the day care center.

(+) Sabrina Mo

- She read statements from tenants at the subject property who are in support of the project.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell, Boyd and Feldstein

11. 2003.0471D (D. JONES: (415) 558-6477)
764 PACHECO STREET - east side between Aerial Way and 12th Avenue, Lot 14 in Assessor's Block 2123A – Request for Discretionary Review of Building Permit Application No. 2003/02/18/7720, proposing to construct a two-story, rear horizontal extension to the existing two-story, single-family residence. The subject property is in an RH-1 (Residential, House, Single Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as modified.
(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S):

(-) Samuel Change – Discretionary Review Requestor

- He lives next door to the subject property.
- He is concerned with the negative impact the project will have on the light and air coming to his house.
- All he is asking for is a further setback on the second story addition.
- The rear yard is unstable so there is a need for the project sponsor to do some landscaping and create a wall so that the soil does not go onto his property.
- He gets along with the project sponsor but what he is asking for is minimal.

(+) Nelson Chiu – project architect

- The problem with this project is that a designer starts building something that somebody probably does not like for whatever reason.
- His work has complied with all the Planning Department's suggestions as far as the building code and has tried to get this project going.
- The project sponsor is running out of room for he and his growing family to have decent living space.
- The options are to add on a room upstairs. The basement right now has 7 feet, less than 7 feet head room clearance, so that makes the addition to the rear of the building without increasing the height of existing building height the best option.
- He feels that the addition will not block any light and air to the neighbor.

(+) Kid Chan

- She has two children and currently her home is very small. She would like to expand to make more room for her family.
- With the five foot setback on the side, there would be enough light and air to her neighbor's property.

ACTION: Took Discretionary Review and approved the project with the following modifications: 1) delete ground floor, 2) issue a notice of special restriction to designate the property as a single-family dwelling; 3) the recreation and family room shall be combined. Deck and the set back should remain as proposed.

AYES: Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell, Boyd and Feldstein

5:00 P.M. 7:15 p.m.

E. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 301 Mission Street

Jeffrey Liebovitz

- He wants to address the issue as he did last week regarding the Rincon Hill plan and the lack of open space on mechanisms for Recreation and Park to acquire open space.
- 301 Mission Street is another project that is going to bring 320 residential units located in the south of market.
- There is no mechanism by which they are paying into the open space fund since there is no open space fund
- There is a deficiency in the EIR when it comes to Recreation and Park, which is really the provider of open space for the entire city. That's what he would like this Commission to do--to try to formulate a mechanism with the planning department and their staff when the time comes, that the developer agree to pay into a fund so that Recreation and Park gets augmented.

Sue Hestor

- She commented on the EIR and left her comments and responses at the office.
- She wants to talk about the insufficient response about the bridge.
- This site was adjacent to the freeway on Beale Street. Because there was literally a death count at the intersection because of traffic accidents, the Planning Commission said it would abridge its policy and allow a pedestrian bridge.
- So there is this rather silly pedestrian bridge that takes up half of the sidewalk width. She would like this EIR to analyze the pedestrian issues.

F. REGULAR CALENDAR

12. 2001.0792IEKXC (C. ROOS: (415) 558-5981)
301 MISSION STREET - south side of Mission Street, Lots 1 and 17 in Assessor's Block 3719 - **Certification of the Final Environmental Impact Report** prepared for demolition of three existing two- to six-story structures on the approximately 50,417-sq.-ft. project site, totaling about 173,650 gross square feet (gsf), and construction of a 58-story, 605 foot-tall, mixed used development, totaling about 1,156,500 gsf. The proposed development would contain about 130,560 gsf of office space with ground floor retail in a 9-story, 125-ft.-tall structure; and a 120-suite extended-stay hotel; 320 residential units; ground-floor retail and restaurant space in the 58-story structure; a 43-ft.-tall publicly accessible atrium; lobbies; building services; and mechanical space. There would be three off-street loading docks and four off-street van spaces, and 400 spaces of underground parking on four levels.
NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on April 3, 2003. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.
Preliminary Recommendation: Certify

SPEAKER(S): None
ACTION: EIR Certified
AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Feldstein
MOTION: 16621

- 13a. 2001.0792IEKXC (A. LIGHT: (415) 558-6254)
301 MISSION STREET - south side of Mission Street, Lots 1 and 17 in Assessor's Block 3719 - Request under Planning Code Section 309 (Review of Downtown Buildings) for Determinations of Compliance and Exceptions, including: an exception to upper-tower bulk limits (Section 272); an exception to height limits for upper-tower extensions (Section 263.9); an exception to rear yard requirements (Section 134(d)); an exception to ground level wind current requirements (Section 148); and an exception to sunlight on public

sidewalks (Section 146); The project lies within a C-3-O (Downtown Office) District and within a 550-S/400-S Height and Bulk District. The proposed project will be constructed on a site containing three existing two-to-six story commercial structures containing approximately 100,000 square feet of office space with some ground level retail uses. The site also contains a vacant parcel that is the former site of a 126,732 square-foot office building that was red-tagged and demolished after the Loma-Prieta earthquake. A letter of determination dated July 8, 2002 from the Zoning Administrator determined that the development site had an office space credit of 126,732 square feet because the demolition of the red-tagged office building was involuntary on the part of the property owner. The proposal is to demolish the existing three structures and construct an approximately 900,000 gross square-foot structure consisting of a 58-story, 605-foot tall tower on the western portion of the site, containing approximately 320 residential units, approximately 120-units of extended stay hotel rooms, and ground floor retail uses; a 43-foot tall glass-enclosed central atrium; a 9-story, 125-foot tall office structure with approximately 130,000 gross square feet of office space, with ground level retail uses on the eastern portion of the site; and an underground four-level parking garage containing approximately 351 parking spaces.

Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):

(+) Glenn Rescalvo – Project Architect

- This is a world-class residential building.
- The project will add character to the San Francisco skyline.
- The outdoor space is a combination of spaces. There is ample space for sidewalks to allow for street furniture.
- The atrium has ample seating, landscaping and a water fountain.
- The garden terrace allows for ample seating and is accessible from the street and the atrium.
- There is retail along the first floor façade.

(+) Phillip Ahrens – Founding Partner of Millennium Partners

- The structure will respect the skyline of San Francisco.
- The project will bring 24-hour activity to the Transbay neighborhood.
- The project is compatible with the Downtown Plan.
- They coordinated the design with the surrounding neighborhood associations.
- There will be 610 full time jobs, there will be millions of dollars to contributions, and there will be annual payments of taxes, which will generate fees to fund the Transbay renovation project.
- They are investing millions of dollars in improving the streetscape.
- There will be a transportation broker who will coordinate the transportation services to the area.
- There is one significant disagreement, which is in the area of parking. Families with children need an independently accessible space for their cars. They are prepared in their compromise to allow the other spaces for the other units to exist as tentative spaces.

(+) Jim Salinas – San Francisco Building and Construction Trades Council

- He read a letter from Stan Warren who is the president of the San Francisco Building and Construction Trades Council who is in full support of this project because this will open thousands of construction jobs.

(-/+) Sue Hestor

- She has issues with the circulation because the project sponsor is asking for a lot of parking spaces.
- The area is the most congested section of the area.
- The pedestrian bridge should be removed.
- She cares more about the pedestrian traffic going from north to south.

- How is this project going to be an incentive to walk?
- There should be a requirement to take down the Beale Street pedestrian bridge.
- (+) Anita Hill- Executive Director of the Yerba Buena Alliance**
 - This is at last a tangible and high quality project that she expects to be built soon.
 - This project is near ample public parking and public transportation.
 - She read a letter from Charles Edwin Chase, President of the San Francisco Architectural Heritage who is in support of the project.
- (+) Sidney Martin**
 - He has been working with Millennium Partners for many years.
 - This project adds to employment, which is needed in the area.
 - This project gives the respectability to Millennium Partners who worked closely with community groups.
 - This is another project that will help and enhance the City.
- (+) John Elberling – Executive Director of Tenants Association**
 - He recommends this project because this project will begin to turn the Transbay Terminal area around.
 - There is extreme mediocrity in various buildings that were built in the 80s. This project has design quality.
 - Millennium Partners has always honored their word and kept their promises to the community.
- (+) Don Marcos – South of Market Employment Center**
 - The project falls under the City's Hiring program so he is very much in support of this project.
 - Millennium Partners have contributed to training programs.
- (+) Norman Rolfe**
 - One of his concerns about this project has been addressed with the accommodations of the Caltrain extension.
 - He just hopes that that is the way it goes.
 - Regarding the parking, he urges the Commission to respect the parking proposed.
 - The residential parking should be raised to 1-to-4.
- (+) Jeffrey Liebovitz**
 - This project is a great addition to his neighborhood.
 - He urges the Commission to approve the parking that Millennium Partners is requesting.
 - He requested Inclusionary housing as well and hopes that this will be a condition.
 - The developer should pay into some kind of fund for the residential component.

ACTION: CEQA Findings Adopted
 AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell and Feldstein
 MOTION: 16622

ACTION: Approved as Amended: Work with property owner at 201 Mission Street to facilitate removal of pedestrian bridge and escalator at Beale and Mission Street intersection.
 AYES: Antonini, Boyd, Hughes, W. Lee
 NAYES: S. Lee
 ABSENT: Bradford Bell and Feldstein
 MOTION: 16624

- 13b. 2001.0792EIKXC (A. LIGHT: (415)558-6254)
301 MISSION STREET - south side of Mission Street, Lots 1 and 17 in Assessor's Block 3719 - Request under Planning Code Sections 157, 158, 223(p) and 303 for a Conditional Use Authorization to allow a major non-accessory parking garage not open to

the public; and Planning Code Sections 216(b)(i) and 303 for a Conditional Use Authorization to allow hotel use in a C-3-O District. The project lies within a C-3-O (Downtown Office) District and within a 550-S/400-S Height and Bulk District. The proposed project will be constructed on a site containing three existing two-to-six story commercial structures containing approximately 100,000 square feet of office space with some ground level retail uses. The site also contains a vacant parcel that is the former site of a 126,732 square-foot office building that was red-tagged and demolished after the Loma-Prieta earthquake. A letter of determination dated July 8, 2002 from the Zoning Administrator determined that the development site had an office space credit of 126,732 square feet because the demolition of the red-tagged office building was involuntary on the part of the property owner. The proposal is to demolish the existing three structures and construct an approximately 900,000 gross square-foot structure consisting of a 58-story, 605-foot tall tower on the western portion of the site, containing approximately 320 residential units, approximately 120-units of extended stay hotel rooms, and ground floor retail uses; a 43-foot tall glass-enclosed central atrium; a 9-story, 125-foot tall office structure with approximately 130,000 gross square feet of office space, with ground level retail uses on the eastern portion of the site; and an underground four-level parking garage containing approximately 351 parking spaces. Pursuant to Planning Code Sections 313 and 314, the Department has determined that the project would result in the net addition of 164,800 square feet of gross floor area of hotel use, requiring payments to the Jobs-Housing Linkage Program and the Citywide Affordable Childcare Fund. Preliminary Recommendation: Approval with Conditions, including reduction of the amount of proposed parking.

SPEAKER(S): Same as those listed for Item 13a.

ACTION: Approved with Conditions as Amended:

1. Reduction of independently accessible parking spaces from 280 to 184.
2. Increase in tandem parking spaces from 71 to 171.
3. Minimum of four car share spaces with the potential to expand to eight car share spaces if demand warrants.

AYES: Antonini, Boyd, Hughes, W. Lee

NAYES: S. Lee

ABSENT: Bradford Bell and Feldstein

MOTION: 16623

14. 2000.1229EK/2003.0596ZMCK (D. ALUMBAUGH: (415) 558-6601)
BRYANT STREET RESIDENTIAL TOWER – on the western side of Seawall Lot #330, being an approximately 22,600 square-foot-portion of Assessor's Block 3771, when subdivided in accordance with a Purchase and Sale Agreement approved by the Port Commission on March 25, 2003, and by the Board of Supervisors July 15, 2003. The block is bounded by Bryant Street, Beale Street and The Embarcadero. -- Request to adopt the CEQA findings for a proposed reclassification of the site's height and bulk district from 105-F to 220-G and conforming General Plan Amendments. The zoning is Heavy Industrial (M-2) and Waterfront Special Use District No. 3. The Planning Commission certified a Final Supplemental Environmental Impact Report (FSEIR) for a Cruise Terminal Mixed Use Project, including this site, in November 2002. Preliminary Recommendation: Approval

SPEAKER(S):

(+) **Byron E. Rhett – Planning Director for the Port of San Francisco**

- The condos on the site are a mixed-use development with general office, maritime office, etc.
- The development will generate economic benefits like union and blue-collar jobs, etc.
- This project will generate funds to sponsor the Bryant Street Warf.

- He feels that they have arrived with a win-win project.
- There will be millions of dollars invested in the pier renovation.

(+) Dan Howard – Vice President Freedman Architects

- This location is a spectacular location.
- The building will contain 136 units.
- They have incorporated below market rate units as well as market rate units.
- The building has two distinctive shoulders, these shoulders allows the glassy corners to appear light and airy.

(-) Sue Hestor

- The building has a mechanical room at the top of the building that does not look very good.
- What is missing is the perspective when one is driving across the bridge.
- She passed to the Commissioners the fundamental requirements for downtown buildings.

(+) Jim Salinas – San Francisco Buildings and Trade Council

- He is here to support this project because it will greatly benefit San Francisco.
- He is asking that the Commission approve this project because the project sponsor is committed to making all jobs union.

(+) Andrew Brooks – Rincon Point/South Beach Homeowners Association

- The association is in full support of this project.
- This is the result of almost three years of work from the Port, the Planning Department and neighborhood associations.
- They did not get everything that they wanted but the important issues have been met.
- This project fits well with the Northeast Waterfront Plan.

(+) Jim Haas – Senior Member of the Rincon Point CAC

- The developer has worked very closely with his association over the last five or six years.
- There are great public benefits from the project.
- His organization was eager to have a full block of affordable housing.
- Putting affordable housing on this property is going to be very time consuming and would require State legislation. The developer indicated that they could not take on the task. The port indicated and promised that as soon as the cruise terminal project is approved and on it's way, they would take on the development of the rest of the property for affordable housing and take all the complicated steps to do this.
- He urged the Commission to approve this project today and begin the promised development of an affordable housing unit structure.

(+) Elen Jonk – Executive Director of the San Francisco Bay Planning Coalition

- This project represents two important aspects of planning. This project is not an isolated one. It represents a very exciting and emerging shoreline. This is a perfect example of merging different ideas. The regional agencies all looked at this and balanced the needs of public trust considerations.

(+) Jeffrey Leibovitz

- The developer has done an excellent job for the City.
- This is something that many people can be proud of.
- This project will pay millions of dollars to develop the Bryant Street Warf.

ACTION: CEQA findings adopted
 AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell and Feldstein
 MOTION: 16625

- 15a. 2003.0596Z (D. ALUMBAUGH: (415) 558-6601)
BRYANT STREET RESIDENTIAL TOWER – on the western side of Seawall Lot #330, being an approximately 22,600 square-foot-portion of Assessor's Block 3771, when

subdivided in accordance with a Purchase and Sale Agreement approved by the Port Commission on March 25, 2003, and by the Board of Supervisors July 15, 2003. The block is bounded by Bryant Street, Beale Street and The Embarcadero. -- Request by the Port of San Francisco to amend the Zoning Map (Planning Code Section 302) to reclassify the height and bulk districts for part of Seawall Lot 330 from 105-F to 220-G. The zoning is Heavy Industrial (M-2) and Waterfront Special Use District No. 3. The Port has requested to amend Map 2 referred to in Policy 10.26 in the Northeastern Waterfront Area Plan of the City's General Plan (Planning Code Section 340) to reflect the requested height and bulk change from 105-F to 220-G. The Planning Commission certified a Final Supplemental Environmental Impact Report (FSEIR) for a Cruise Terminal Mixed Use Project, including this site, in November 2002.

Preliminary Recommendation: Approval

SPEAKER(S): Same as those listed for Item 14.

ACTION: Approved

AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Feldstein

RESOLUTION: 16626

- 15b. 2003.0596M (D. ALUMBAUGH: (415) 558-6601)
BRYANT STREET RESIDENTIAL TOWER – on the western side of Seawall Lot #330, being an approximately 22,600 square-foot-portion of Assessor's Block 3771, when subdivided in accordance with a Purchase and Sale Agreement approved by the Port Commission on March 25, 2003, and by the Board of Supervisors July 15, 2003. The block is bounded by Bryant Street, Beale Street and The Embarcadero. -- Request by the Port of San Francisco to adopt conforming amendments to Map 2 referred to in Policy 10.26 in the Northeastern Waterfront Area Plan of the City's General Plan to reflect the requested height and bulk change from 105-F to 220-G. The zoning is Heavy Industrial (M-2) and Waterfront Special Use District No. 3. The Port has requested height and bulk change from 105-F to 220-G. The Planning Commission certified a Final Supplemental Environmental Impact Report (FSEIR) for a Cruise Terminal Mixed Use Project, including this site, in November 2002.
Preliminary Recommendation: Approval

SPEAKER(S): Same as those listed for Item 14.

ACTION: Approved

AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Feldstein

RESOLUTION: 16627

- 15c. 2003.0596C (D. ALUMBAUGH: (415) 558-6601)
BRYANT STREET RESIDENTIAL TOWER - on the western side of Seawall Lot #330, being an approximately 22,600 square-foot-portion of Assessor's Block 3771, when subdivided in accordance with a Purchase and Sale Agreement approved by the Port Commission on March 25, 2003, and by the Board of Supervisors July 15, 2003. The block is bounded by Bryant Street, Beale Street and The Embarcadero. The zoning is Heavy Industrial (M-2) and Waterfront Special Use District No. 3. -- San Francisco Cruise Terminal, LLC, has requested (1) Conditional Use Authorization under sections 240.3, 303 and 304 of the Planning Code to permit a Planned Unit Development (PUD) for the construction of a new 22-story, 220-foot tall, condominium tower with 135 to 145 condominium units (final number of units being determined as design develops); and (2) PUD modifications under Planning Code section 304 for the following: rear yard setback requirement (Planning Code Section 134); the required independently accessible parking

spaces (Planning Code Section 151) to allow up to 10 of the required on-site parking spaces to be tandem; on-site loading spaces (Planning Code Section 152) to allow loading from on-street loading areas where 2 on-site spaces are required; dwelling unit density (Planning Code Section 215) and associated floor area ratio (Planning Code Sections 240.3 and 124) to allow increased dwelling unit density and floor area ratio. The Planning Commission certified a Final Supplemental Environmental Impact Report (FSEIR) for a Cruise Terminal Mixed Use Project, including this site, in November 2002.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): Same as those listed for Item 14.

ACTION: Approved with Conditions to amend the car share language (in the event the Planning Commission adopts new streetscape controls or guidelines within 18 months of the date of approval.

AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Feldstein

MOTION: 16628

16. 2003.0244C (M. SNYDER: (415) 558-6891)
2101 BLOCK OF BRYANT STREET & 2830 20TH STREET - (the site formerly referred to as Bryant Square), located on the block bounded by Bryant, 19th, York, and 20th Streets; Lots 60, 62, and 63 in Assessor's Block 4080 - Request for Conditional Use Authorization to allow [1] the construction of dwelling units in C-M (Heavy Commercial) and M-1 (Light Industrial) Districts pursuant to Planning Code Section 215(a), [2] an exception to Bulk Limits pursuant to Planning Code Section 271 and [3] a Planned Unit Development (PUD) pursuant to Planning Code Section 304 to modify Code Sections including (i) the dwelling unit density limits of Section 215, (ii) the rear yard requirements of Section 134, (iii) the dwelling unit exposure requirements of Section 140, and (iv) the usable open space requirements of Section 135. The subject property is within both a C-M and an M-1 Zoning District and a 65-B Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

Re: Continuance

Dan Kingsly

- He is a partner with SKS Investments who is the project sponsor.
- Over the past five months, they have met with approximately 60 neighbors to the project.
- What they are proposing has been well received by the neighbors.
- They have also been given some constructive design criticism that they are doing their best to respond to. In addition, they have met several times with representatives of the Mission Anti-Displacement Coalition.
- SKS and the Mission Anti-Displacement Coalition have been working well together. And collectively they feel it would be beneficial for them to have some more time to continue their discussions and explore ways of resolving their differences.
- This is the reason why they are requesting this project be continued to September 18.

ACTION: Without hearing, item continued to September 18, 2003

AYES: Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell, Boyd and Feldstein

17. 2002.1010C (M. LUELLEN (415) 558-6478)
1300 POLK STREET on the northeast corner of Polk and Bush Streets; Lots 004A & 004B in Assessor's Block 0668: Request for Conditional Use authorization pursuant to Planning Code Section 303 for nonresidential use size of 3,000 square feet and above; and use above the ground floor for a place of worship. The proposed project is to

construct a two-story (plus mezzanine) church ("First Congregational Church of San Francisco") 50 feet in height (excluding steeple), that is intended to contain about 160 seats and approximately 13,000 square feet in area. The existing one-story over basement commercial building containing a bar and two vacant storefronts would be demolished. The proposed new structure will contain community meeting rooms, a fellowship hall, a chapel, a mezzanine, and an approximately 40-foot high sanctuary. No off-street parking is proposed or required. The subject property is in the Polk Street NCD (Neighborhood Commercial District) zoning district and a 65-A height and bulk district. Preliminary recommendation: Approval with conditions

SPEAKER(S):

(+) Joe Story – Representing Project Sponsor

- A church is permitted at this location.
- This will be their 5th building.
- The church does extensive outreach in San Francisco.
- He displayed a diagram of the project, explaining the architectural aspects of the building.
- They have been communicating with various neighborhood organizations and they are all in support of this project.

(-) Jim Jonas

- He is concerned about the potential significance of the building. He believes that the building is more significant than was stated in the report.
- He is a librarian and has done research.
- The building was built earlier than the architectural report indicates.
- In the 1970s, the building won an architectural award and it had a significant sign on the outside. That wasn't included in the report.
- He would like to have a plaque be put on the building that states its architectural significance.

ACTION:	Approved
AYES:	Antonini, Boyd, Hughes, S. Lee, W. Lee
ABSENT:	Bradford Bell and Feldstein
MOTION:	16629

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 11:05 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 18, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

5
21/03

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, August 21, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

OCT - 9 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Shelley Bradford Bell, Edgar E. Boyd, Michael J. Antonini, William L. Lee
COMMISSIONERS ABSENT: Kevin Hughes, Lisa Feldstein, and Sue Lee

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:45 p.m.

STAFF IN ATTENDANCE: Larry Badiner - Acting Director/Zoning Administrator; Susan Cleveland-Knowles - Deputy City Attorney; Joan Kugler; Paul Lord; Craig Nikitas; Dan Sirois; Tom Wang; Michael Smith; Rick Crawford; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.1268D (G. NELSON: (415) 558-6257)
527 23RD AVENUE - west side between Anza and Balboa Streets; Lot 007 in Assessor's Block 1566 - Request for Discretionary Review of Building Permit Application No. 2002.09.05.5649, proposing to construct a two-story horizontal addition at the rear of the single-family dwelling, a new third floor and a partial fourth floor in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposal would create a second dwelling unit and a second off-street parking space.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of July 10, 2003)

NOTE: On July 31, 2003, following public testimony, the Commission closed the public hearing and passed a motion of intent to take Discretionary Review and approve as modified by a vote of +6 -0. Commissioner Bradford-Bell was absent. Final action to consider modifications scheduled for August 21, 2003.

(Proposed for Continuance to ~~August 28, 2003~~ September 11, 2003)

SPEAKER(S):

Re: Continuance

April Ford

- She is trying to come to an agreement with the neighborhood and the project sponsor.
- She believes that the date far out in advance will help them come to an agreement.

ACTION: Without hearing, item continued to September 11, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

2. 2003.0278C (M. SMITH: (415) 558-6322)
5810 MISSION STREET - north side of the street between Lawrence and Sickles Avenues, Lots 039, 042, and 049 in Assessor's Block 7143 - Request for Conditional Use Authorization pursuant to Planning Code Sections 303 and 304 to allow the amendment of Motion No. 13347 to amend the Planned Unit Development authorization to allow for the conversion of three Below Market Rate (BMR) rental apartments into three (BMR) dwelling units for sale for owner occupancy. The conversion would affect units #202, #205, and #303 in the building, located in a NC-2 (Small-Scale Neighborhood Commercial) and 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular meeting of July 24, 2003)
(Proposed for Continuance to September 4, 2003)

SPEAKER(S): None

ACTION: Without Hearing, item continued to September 4, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

3. 2002.1144C (G. NELSON: (415) 558-6257)
821 LA PLAYA (AKA 800 GREAT HIGHWAY) - between Great Highway and La Playa at the intersection of Cabrillo Street; Lot 004 in Assessor's Block 1692 - Request for Conditional Use authorization pursuant to Section 710.83, of the Planning Code to install two cellular antennas and one related equipment cabinet on the roof of a commercial structure (Wise Surf Shop), within an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. The proposed antennas would be within the existing parapet and penthouse wall on the roof of the structure, and the related equipment would be located on the roof below the level of the parapet. Neither the antennas nor the equipment would be visible from below or any neighboring property. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 6 (limited preference site) as it is located in an NC-1 District.
Preliminary Recommendation: Approval with conditions.
NOTE: On July 17, 2003, following public testimony, the Commission closed the public hearing and entertained a motion to disapprove by a vote +5 -0. Commissioners Boyd and Feldstein were absent. Final Language scheduled for August 21, 2003
(Proposed for Continuance to October 2, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to October 2, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

4. 2002.0639D (B. FU: (415) 558-6613)
604 RHODE ISLAND STREET AND 2005-2007 18TH STREET (aka 2001 18TH STREET; aka 602 RHODE ISLAND STREET) - corner of 18th and Rhode Island Streets, Lots 001 and 002 in Assessor's Block 4030 - Mandatory Discretionary Review of Building Permit Application Numbers 2002.05.22.7228 and 2002.05.22.7240, which would demolish a single family home and a two-unit home, respectively. Under proposed conditions, the two adjacent properties would be re-subdivided and a new single family home would be built on the resulting corner parcel while a new two-family home would be built on the resulting 18th Street parcel. Mandatory Discretionary Review is required under Planning Commission policy for projects proposing the demolition of housing. The properties are located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of June 26, 2003)

(Proposed for Continuance to September 25, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to September 25, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

5. 2003.0042T (P. LORD: (415) 558-6311)
MAJOR EXTERIOR ALTERATION NOTIFICATION - consideration of an Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to require expanded public notice for major exterior alteration projects; requiring the Building and Planning Departments to issue implementing regulation within 90 days and report to the Board of Supervisors on the effectiveness of the ordinance no later than nine months thereafter; and adopting findings.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular meeting of July 24, 2003)

(Proposed for Continuance to September 25, 2003)

SPEAKER(S):

RE: Continuance

Maria Sousa

- She supports the continuance of this legislation.

John Carney

- He believes that this item should be continued.

ACTION: Without hearing, item continued to September 25, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

6. (PUTRA/WILSON: (415) 558-6233)
RESIDENTIAL DESIGN GUIDELINES - Presentation on the updated and expanded Residential Design Guidelines (Guidelines) for all residential projects in RH (Residential House) and RM (Residential Mixed-Density) zoning districts. This is a second hearing on the proposed Guidelines after receiving comments and recommendations from the public at the May 22, 2003 hearing, and meetings with interested neighborhood groups and organizations. This hearing is to provide another opportunity for the public to comment on the draft Guidelines. No action is required by the Planning Commission. The Planning Commission may adopt the Guidelines at a future public hearing.

(Continued from Regular meeting of July 24, 2003)

(Proposed for Continuance to October 23, 2003)

SPEAKER(S):

Re: Continuance

Maria Sousa

- They submitted a letter dated August 9. They are not supporting the design guidelines in its current form.

- These guidelines are not being followed at all.

April Ford

- She is also concerned about the design guidelines and how they will be applied in her community.

- She looks forward to having this legislation looked at more closely.

ACTION: Without hearing, item continued to October 23, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

7. 2003.0193D (R. CRAWFORD: (415) 558-6358)
244 GRANADA AVENUE - East side between Ocean and Holloway Avenues. Assessor's Block 6942 Lot 039 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 2002.1028.0113, to demolish the existing one family house, in an RH-2 (Residential House, Two Family) District, and a 40-X Height and Bulk district. There is a related proposal to construct a new two-family building.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Demolition Permit.
(Continued from Regular Meeting of June 19, 2003)
(Proposed for Continuance to October 2, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to October 2, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

- 8a. 2002.1298CV (M. LI: (415) 558-6396)
624 LAGUNA STREET - northeast corner at Ivy Street, Lot 012 in Assessor's Block 0807 - Request for conditional use authorization to demolish a vacant one-unit residential building and to construct a four-story, 40-foot-high senior care residential facility for up to 30 residents within the Hayes-Gough Neighborhood Commercial District and a 50-X Height and Bulk District. The project is the subject of a concurrent Variance hearing before the Zoning Administrator.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of June 19, 2003)
(Proposed for Continuance to October 16, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to October 16, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

- 8b. 2002.1298CV (M. LI: (415) 558-6396)
624 LAGUNA STREET - northeast corner at Ivy Street, Lot 012 in Assessor's Block 0807 - Parking variance sought. The proposed project is the demolition of a vacant one-unit residential building and the construction of a four-story, 40-foot-high senior care facility for up to 30 residents within the Hayes-Gough Neighborhood Commercial District and a

50-X Height and Bulk District. The project is proposing to provide zero off-street parking spaces where three are required.

(Continued from Regular Meeting of June 19, 2003)

(Proposed for Continuance to October 16, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to October 16, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

9. 2002.0418T (P. LORD: (415) 558-6311)
SECONDARY UNITS - Consideration of an Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Unit] in its entirety, adding new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit Center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space; and adopting findings.
(Proposed for Continuance to October 16, 2003)

SPEAKER(S):

Re: Continuance

Marilyn Amini

- She agrees with this continuance because there are a lot of people who are still "in the dark" about this legislation.
- The public comment on this issue has been fragmented.
- She held up about 100 letters addressed to the Board of Supervisors who are opposed to the secondary units. She will make a copy and send it to the Planning Commission for the public record.
- The public record should be consolidated into one file to make it easier for Commissioners to review.
- It was discussed at previous meetings that notice of this legislation be sent to all residents of San Francisco.

Dorcas Maureen Bender – Preserve Our Neighbors

- It would be a shame for San Francisco to allow Secondary Units and turn the City into a Manhattan.
- She was born and brought up here and believes that the City should remain a lovely place to live.
- The changes in the secondary units, housing element, etc will destroy San Francisco.
- She agrees with the continuance.

Maria Sousa

- She supports the continuance of this legislation but suggests it be continued further than the date stated.
- She does not believe that it is appropriate to have the hearing on the proposed date because the housing element hearing will be held on October 9, 2003.

ACTION: Without hearing, item continued to October 16, 2003

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

10. Commission Comments/Questions

Commissioner William Lee:

Re: Residential Design Guidelines

When the Commission has a hearing on the Residential Design Guidelines, he would like a representative from the San Francisco AIA to provide comments on the document.

Re: Housing Element

- He wants to know what are the impacts if there is a delay in certifying the Housing Element? Will we be losing the opportunity to compete or receive money from the State?
- He recommends that the Planning Department send a letter to the Mayor's Office of Housing to receive their comments on impacts.

Re: Self Certification

- It was his understanding that State legislation has been proposed that would allow the Commission to self-certify as a City. He would like a briefing on August 28, 2003 from the City Attorney.

Re: Budget

- The budget was signed recently. But some of the budget items, like fee increases, were not increased. He would like a status report on that. Some of the funding for the Department of Planning has been placed on reserve. The overall budget, with identifying line items, should be provided to the Commission whether it be during the work plan deliberation, etc. He would like this within a two month period.

Re: Land Use Committee

- He requested that the Acting Planning Director meet with the Chair of the Land Use Committee – Supervisor Jake McGoldrick -- on an ongoing basis because there are a lot of Planning Commission cases that are being challenged at the Land Use Committee and then to the full Board. His suggestion would be to have meetings with Supervisor McGoldrick in order to educate him and give him the background on cases that are being challenged so he has the information that he needs when it gets to his Committee.

Re: Demolition Conditions Reports

- He would like to revisit the demolition conditions reports that goes from 50% to 75%.
- He requested the status/affect on projects that started in the Planning Department years ago relative to demolition requests before the Commission instituted the 75%.

Commissioner Antonini:

Re: Request to the City Attorney

- He has questions on jurisdiction and procedures regarding Secondary Units, Demolition and Residential Design Guidelines. He would like an opinion from the City Attorney on why these legislations are going on at the same time when the Housing Element contains many of these legislations.

Re: Demolitions

- He agrees with Commissioner William Lee regarding demolitions because it seems like the Commission is changing the rules in the middle of the game.

Commissioner Boyd:

Re: Housing Element

- He requested that staff produce an outline of how they see protracted series of events that need to take place toward the approval of the Housing Element, and then toward the General Plan. It should spell out within that time frame the basic hurdles that need to be crossed so that the Commission could be more responsible. Also, incorporate the concerns that have been raised in the various public testimonies.

Commission Bradford Bell:

Re: Land Use Committee

- She agrees that the Acting Planning Director should be involved in meeting with Supervisor Jake McGoldrick on cases that are being challenged as Commission William Lee stated. That is a practice that she and Director Green have been involved in, and she would like to continue to be involved.

Re: Planning Commission Hearings:

September 25, 2003

- At this hearing the issue of Director Green's leave will be address because the Deputy City Attorney will be present.

After November 14, 2003

- Review of the Planning Commission Secretary's performance evaluation will be scheduled [in closed session].

October 9, 2003

- The Housing Element will be scheduled.

Re: Acting Planning Director

- She welcomed Larry Badiner as the Acting Planning Director and is looking forward to working with him.
- She knows that Director Green will be available to discuss matters with Commissioners and Mr. Badiner.

C. DIRECTOR'S REPORT

11. Director's Announcements

Re: His acceptance as Acting Director:

- He explained to the Commission that he took on this responsibility because Mr. Green had a wonderful opportunity to be at Harvard and he wanted to support him on that as well as support the Commission.
- Mr. Green has been on vacation since about August 11. He has been in and out of the office and he has been working closely with him.
- They are in constant communication. Mr. Green will be officially on leave from the beginning of September, when he heads off to Harvard.
- He has been broadening his experience in other divisions of the department and has been meeting extensively with Dr. Ghosh and his staff, Mr. Maltzer and the Environmental Review staff and picking up issues and carrying them forward. He has been learning a lot and getting a handle on the issues that are before him and the Department.

Re: Budget

- The budget implications are just starting to shake out.
- He received on Monday, the final budget. Staff is studying it to examine what all of the implications are in response to Commissioner Lee's request.
- He believes there is about \$120,000 on reserve for South of Market environmental review.
- Part of the Department's budget, a good portion of it, was related to a fee ordinance which included changes, modifications and increases in fees.
- This issue went before the Land Use Committee and since then, some issues were raised. Staff is working with the City Attorney, the Mayor's Office, and the Controller to make sure that the fees are fully legal.
- This is one of the highest priorities of the Department. In order to meet the budget, the Department needs to get these issues resolved and the fees passed.

Re: Restructuring of the Department

- He has been meeting with members of the Senior Management staff in order to respond to a variety of different issues including the budget, number of vacancies, reorganization or shifts that have been made with him becoming Acting Director and Mr. Nixon becoming Zoning Administrator.
- He is trying to figure out what the implications are, how the Planning Information Counter is being managed, how computers are being managed and how neighborhood planning is being managed. There may have to be some incremental adjustments on how the quadrants are divided, who the supervisors are, etc.

Re: Miscellaneous

Hearing of September 4, 2003:

- Major issues over the next two months that will be before the Commission include on September 4, a records retention policy presentation. As mandated by law, the Commission must review and, [subject to modifications,] adopt it.

Hearing of September 11, 2003:

- On September 11, there will be a presentation on the Discretionary Review (DR) process which was requested by the Commission.
- Many members of the public are concerned that the existing DR process doesn't seem to address either the neighborhood's needs or project sponsor's needs. They also don't seem to address staff needs in terms of resources or the Commission's needs.
- Staff has thoughts and proposals.
- This would be an informational hearing just to open up the discussion.

Hearing of September 18, 2003:

- On the September 18 there will be a joint hearing with the Redevelopment Agency on the Mid-Market EIR and Exterior Alterations.

Alternating Hearings:

- In September the Commission calendar will alternate Discretionary Reviews and Conditional Use cases.

Hearing of October 2, 2003:

- On October 2 there will be another joint hearing with Treasure Island on the draft Environmental Impact Report.

Hearing of October 9, 2003:

- On October 9 is the Housing Element.

Hearing of October 16, 2003:

- On October 16, staff is proposing the Eastern Neighborhoods,

Hearing of October 23, 2003:

- On October 23, staff is proposing a review of the Residential Design Guidelines.
- So the Commission, as well as staff, has a full calendar for the next couple of months.
- Director Green and I will be working very closely to make sure those are in proper order for the Commission and the public.

Housing Element:

- This issue is on a very tight schedule to get the information to the Commission for October 9.
- As Commission President Shelley Bradford Bell said, comments are due this Friday, but staff will certainly accept them by Monday.

- Then staff really needs to turn them around and get them out to the Commission three weeks in advance--that would be September 17.
- He will be working with Dr. Ghosh and his staff to get that out on the 18th of September as well as update the web site.
- There will be extensive outreach -- like newspaper advertisements in the Chronicle, the Examiner, and a list of the neighborhood newspapers. It will be placed on Commission calendar notices; there will be public service announcements on radio, television, City Watch, and community newspapers; announcements to the Board of Supervisors, on the Planning Department's web site, at the public libraries, and a general mailing to advocates and community groups.
- There was a comment made under Public Comment that staff is not implementing the Residential Design Guidelines, that is not accurate.
- Staff is implementing these guidelines.
- Staff is also proposing to revise them as there are concerns about the 12-year-old Guidelines and various discussion about how well they address all of the neighborhood concerns and all the Planning concerns.

Re: Department of Building Inspection

- Recently, DBI has issued a new process for critical needed additions because apparently there have been complaints of illegal demolitions, alterations, etc. But they've been violating a lot of the planning laws.
- Projects come to Planning, get approval then go to DBI, get approved and do illegal units with illegal additions.
- Perhaps two applications should be filed, one for the alteration, and the other for the substantial demolition of the building.

12. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None

BOA - None

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

John Carney

Re: 450 Rhone Island

- There are a number of items inaccurate in the EIR.
- There are issues of asbestos, and additional tests should be done. If there is asbestos material present, then many people will be sued.
- He actually stopped the progress of this project before because of the issue of asbestos.
- This project is being built on a hazardous site.
- As long as the subsoil is not touched then there will not be any problems.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

13. 2003.0207C (R. CRAWFORD: (415) 558-6358)
1509 TARAVAL STREET - between 25th and 26th Avenues, Assessor's Block 2400 Lot 043 - Request under Planning Code Section 161.(j) for Conditional Use Approval for a reduction of three off-street parking spaces required for dwellings for a Project with

ground floor commercial and three dwelling units. This project lies within an NC-2 Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

NOTE: On July 10, 2003, the Commission closed the public hearing and passed a motion of intent to disapprove by a vote of +5-2 (Commissioners Bradford Bell and Feldstein voted No). Final Language scheduled for July 24, 2003. On July 24, 2003, this item was continued to 8/21/03

SPEAKER(S): None
 MOTION: Motion to Disapprove
 AYES: Antonini and W. Lee
 NAYES: Bradford Bell and Boyd
 RESULT: Motion Failed

ACTION: Continued to September 4, 2003.
 AYES: Antonini, Bradford Bell, Boyd, W. Lee
 ABSENT: Feldstein, Hughes, S. Lee

D. REGULAR CALENDAR

14. 1999. 410E & 2003.0038E (J. KUGLER: (415) 558-5983)
450 RHODE ISLAND STREET – RESIDENTIAL DEVELOPMENT WITH RETAIL AND 17TH AND RHODE ISLAND STREETS LEGISLATION FOR A GROCERY STORE SPECIAL USE SUBDISTRICT. Certification of Supplemental Environmental Impact Report: Assessor's Block 3978, Lot 1 which is approximately the whole of the block between Rhode island, Mariposa, 17th and Kansas Streets. The proposed project consists of two elements: the first is two ordinances introduced by the Board of Supervisors amending the San Francisco Planning Code (including Zoning Maps 8 and 8SU) to change the zoning on the block bounded by Rhode Island, 17th, Kansas and Mariposa Streets from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial). The proposed legislation would also add Section 781.10, which would create a 17th and Rhode Island Street Grocery Store Special Use Subdistrict applicable to the block described above to permit a neighborhood grocery store with beer and wine sales on that block. The second element is a proposed development that would involve the construction of a five-story building ranging in height from 16 ½ feet to 52 ½ feet and containing about 204,800 square feet of mixed-use residential/retail space. The project would include approximately 168 residential units, approximately 4,000 square feet of retail space, and approximately 34,500 square feet of grocery store space. In addition, a parking garage would partially occupy three levels, providing a total of approximately 323 self-park off-street parking spaces. The new proposed building would step-up the north slope of the Potrero Hill project site (Assessor's Block 3978, Lot 1), which is bounded by 17th Street on the north, Rhode Island Street on the east, Mariposa Street on the south, and Kansas Street on the west. The project site is within the M-1 (Light Industrial) zoning district and within a 40-X height/bulk district.
NOTE: Public Hearing held on May 22, 2003. Public comment period closed May 27, 2003.

Preliminary Recommendation: Certify Supplemental Environmental Impact Report.

SPEAKER(S): None
 ACTION: Supplemental Environmental Impact Report Certified
 AYES: Antonini, Bradford Bell, Boyd, W. Lee
 ABSENT: Feldstein, Hughes, S. Lee
 MOTION: 16630

Items 15-17 were called and heard together:

15. 2003.0038Z (P. LORD: (415) 558-6311)
REZONING FROM M-1 TO NC-3 AND 17TH AND RHODE ISLAND STREETS
GROCERY STORE SPECIAL USE SUBDISTRICT - Consideration of an Ordinance amending Section Map 8 and 8SU of the Zoning Map of the City and County of San Francisco to rezone the property described as Assessor's Block 3978, Lot 1, full block bound by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street, from M-1 (Light Industrial) with a 40-X height and bulk designation to NC-3 (Moderate-Scale Neighborhood Commercial District) with a 40-X height and bulk designation and the 17th and Rhode Island Street Grocery Store Special Use Subdistrict.
Preliminary Recommendation: Approval

SPEAKER(S):

(+) Sharline Curtis – Project Sponsor

- She is very happy to be here to present this project.
- She has done a lot of work with people in Potrero Hill.
- There were many meetings organized, including meetings with the Potrero Boosters.
- The project consists of providing a mid-size full service grocery store.
- They are currently speaking with grocery store companies, trying to come to an agreement.

(+) David Johnson – Project Architect

- This mixed-use project has been the response of the community's input.
- The most important goals of this project consist of the following: 1) shift the mass of the building down the hill away from Mariposa toward 17th Street; 2) enhance the neighborhood retail serving character of 17th Street; 3) express the narrow lot width of the neighborhood by dividing the building into distinct residential segments; 4) emphasize the residential and pedestrian scale; 5) create approximately 30 pedestrian access points along the perimeter of the project; and 6) balance the coverage of the building on the site with generous open space.

(-) Babette Drefke

- It bothers her to hear there was "community input" when she has not been invited to participate.
- There is so much need for family housing that this project should be for that.
- The area can be rezoned to residential. Then build housing units.
- She has issues about the height.
- 52 ½ feet will make this area a windy tunnel.

(-) John Carney

- Nowhere in the environmental report does it require asbestos testing.
- Why are intersections away from the project being improved when the intersections near the project are the ones that should be improved?
- This project should be downgraded to residential.

(+) Julie Milburn – California College of Arts and Crafts

- She read a letter from the president of the Potrero Boosters who is in support of this project.

(+) Tim McDonough

- This type of project allows neighborhoods to interact.

(+) Kate White – San Francisco Housing Action Coalition

- The coalition strongly supports this project because it will make an important contribution to their goals.
- She urges the Commission to approve this project.

ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, W. Lee
ABSENT: Feldstein, Hughes, S. Lee
RESOLUTION: 16631

16. 2003.0038T (P. LORD: (415) 558-6311)
17TH AND RHODE ISLAND STREETS GROCERY STORE SPECIAL USE SUBDISTRICT - Consideration of an Ordinance amending the San Francisco Planning Code by adding Section 781.10 to create the 17th and Rhode Island Streets Grocery Store Special Use Subdistrict for the property described as Assessor's Block 3978, Lot 1, full block bound by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street. The designation of the 17th and Rhode Island Street Grocery Store Special Use Subdistrict permits one of-sale (Type 20 and Type 21) liquor store as a conditional use on the first or second story, provided that it is operated as an integral element of a grocery store of not less than 30,000 gross square feet.
Preliminary Recommendation: Approval with conditions.

SPEAKER(S): Same as those listed for Item 15.
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, W. Lee
ABSENT: Feldstein, Hughes, S. Lee
RESOLUTION: 16632

17. 2003.0018C (P. LORD: (415) 558-6311)
450 RHODE ISLAND STREET - full block bound by Rhode Island, 17th, Kansas and Mariposa Streets; Lot 1 in Assessor's Block 3978 - Request for conditional use authorization under Sections 303, 304, 712.11, 712.21, and proposed Section 781.10 of the Planning Code to allow a Planned Unit Development for the construction of a mixed-use development consisting of up to 168 dwelling units, approximately 39,400 square feet of commercial/retail space (including a grocery store of approximately 34,500 square feet with liquor, beer and wine sales) and approximately 323 independently accessible off-street parking spaces, in an M-1 (Light Manufacturing) zoning district, a former Industrial Protection Zone and a 40-X Height and Bulk District, proposed for rezoning to the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and 17th and Rhode Island Street Grocery Store Special Use Subdistrict, including exceptions to the dwelling unit exposure, usable open space, rear yard, height measurement and bay window requirements in Section 136 of the Planning Code.
Preliminary Recommendation: Approval with conditions.

SPEAKER(S): Same as those listed for Item 15.
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, W. Lee
ABSENT: Feldstein, Hughes, S. Lee
MOTION: 16633

- 18a. 2003.0532XV (M. LUELLEN: (415) 558-6478)
239 GRANT AVENUE - west side between Post and Sutter Streets, Lot 004 in Assessor's Block 294 -- Request under Planning Code Section 309(a)(1) (Downtown Project) for Determinations of Compliance and Request for Exceptions, including an exception from the rear yard requirements) pursuant to Building Permit Application 2003.08.08.1580. This site lies within a C-3-R (Downtown, Retail) District and within an 80-130-F Height and Bulk District. The project would convert vacant office space on five floors to five dwelling units. Existing ground floor retail use would remain. The building envelope would be remodeled but not expanded except on the roof to provide required elevator access. The subject property is an unrated (not significant) building within the Kearny-Market-Mason-Sutter Conservation District under Article 11.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):
(+) Peter Cornell – Project Architect

- He described the design of the building and how the proposed design addresses the guidelines for the Kearny/Market/Mason/Sutter Conservation District Guidelines.
- He displayed a materials sample board.

ACTION: Approved
 AYES: Antonini, Bradford Bell, Boyd, W. Lee
 ABSENT: Feldstein, Hughes, S. Lee
 MOTION: 16634

- 18b. 2003.0532XV (M. LUELLEN: (415) 558-6478)
239 GRANT AVENUE - west side between Post and Sutter Streets, Lot 004 in Assessor's Block 294 - Request under Planning Code Sections 151 and 305 for a variance from parking requirements. This site lies within a C-3-R (Downtown, Retail) District and within an 80-130-F Height and Bulk District. The project would convert vacant office space on five floors to five dwelling units. Existing ground floor retail use would remain. The building envelope would be remodeled but not expanded except on the roof to provide required elevator access. No parking is proposed where one space is required. This item will be heard concurrently by the Zoning Administrator.

SPEAKER(S): Same as those listed for Item 18a.
 ACTION: Zoning Administrator closed the Public Hearing and granted the variance

- 19a. 2002.1301CV (M. LUELLEN (415) 558-6478)
230-242 TURK STREET - "The Salvation Army Turk Street Center", north side between Jones and Leavenworth Streets; Lots 024 & 006 in Assessors Block 0338: Request for Conditional Use authorization pursuant to Planning Code Section 303 to demolish a building with 74 residential hotel units and to construct a new mid-rise building that will contain 109 units of affordable transitional housing for adults in recovery and older foster care youth. The project includes a gymnasium, pool, chapel and multipurpose room on the ground floor, and social services offices, and youth recreational area on the second and third floors, all built over an underground parking level accessed from Turk Street and containing at least 32 off-street spaces. The subject property is in an RC-4 (Residential-Commercial Combined, High Density) District and located within the North of Market Residential Special Use District No. 1, and is in an 80-120-T Height and Bulk District. The existing building is a contributing structure to the National Register Eligible San Francisco Apartment and Hotel District, its demolition was found to not have a substantial adverse impact on the district. A Final Negative Declaration of Environmental Impact was adopted and issued on June 12, 2003.
 Preliminary Recommendation: Approval with conditions
NOTE: On July 24, 2003, the Commission continued this matter indefinitely. Subsequently, this item was re-advertised to August 21, 2003.

SPEAKER(S):
 (+) Lieutenant Colonel Betty Love- Project Sponsor - Salvation Army
 - They determined that a community center at this location would benefit a 6-block radius in the tenderloin.
 - It is with a great deal of pleasure that the organization presents this project.
 (+) Bob Herman - Herman and Collar Architecture
 - The development will be located at the southern edge of the tenderloin and the southern edge of the historic district.
 - The design of the building had to be modern but maintain the historical nature of the neighborhood.
 - The composition of the building honors the past, yet has modern material.
 (+) David Villa-Lobos - Community Liaison to South of Market and City Hall

- There have been many projects that he has opposed in this area, but he is in favor of this project for various reasons.

- The Salvation Army has always been responsible and is always trying to improve the quality of life in the Tenderloin.

(+) Bob Starzel – The Salvation Army Advisory Board

- He lives in San Francisco and is proud to be on the advisory board of the Salvation Army.

- This project will provide an opportunity to build lives.

- This project will bring improvement to the City.

(-) David Baker

- Various times he has complained about the appropriation of office space on the site, the conversion of shelter space to a youth hostel and the inefficiency of the organization to keep the area clean.

(+) Sam Houston

- The Salvation Army has made every attempt to find housing for the residents that were displaced.

- The organization has a rich tradition in the City.

- He has seen the teen at the summer camps and they are always joyful. This makes youth better citizens.

(+) Jennifer Arons

- She is a youth worker for the Salvation Army.

- She is the person who takes children and youth pass sex shops and drug dealers in order to take them bowling because they do not have a sports program.

- She is very excited about this project because people have requested these types of services, especially a swimming pool.

- She urges the Commission to support this project and support children and youth.

(+) Mary Lou Harris

- She lives on Turk Street and is very much in support of this project.

- She is only concerned about the noise in the neighborhood.

ACTION: Approved as Amended: Construction hours are M-F from 7:30 a.m. to 5:00 p.m.

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

MOTION: 16635

- 19b. 2002.1301CV (M. LUELLEN: (415) 558-6478)
230-242 TURK STREET - "The Salvation Army Turk Street Center", north side between Jones and Leavenworth Streets; Lots 024 & 006 in Assessors Block 0338: Request for a rear yard modification in accord with Section 134(f) to provide an equivalent yard area elsewhere on the lot, a Variance to provide 32 parking spaces where 88 are required, and a variance to Section 136(2)(C) regarding bay window glass area, are sought as part of a project to construct a new mid-rise building that will contain 109 units of affordable housing for adults in recovery and older foster care youth and facilities for associated services. The project includes a gymnasium, pool, chapel and multipurpose room on the ground floor, and social services offices, and youth recreational area on the second and third floors, all built over an underground parking level accessed from Turk Street and containing at least 32 off-street spaces. The subject property is in an RC-4 (Residential-Commercial Combined, High Density) District and located within the North of Market Residential Special Use District No. 1 and is in an 80-120-T Height and Bulk District. The existing building is a contributing structure to the National Register Eligible San Francisco Apartment and Hotel District, its demolition was found to not have a substantial adverse impact on the district, and a Final Negative Declaration of Environmental Impact was adopted and issued on June 12, 2003. The Zoning Administrator will consider these requests.

NOTE: On July 24, 2003, the Commission continued this matter indefinitely. Subsequently this item was re-advertised to August 21, 2003.

SPEAKERS: Same as those listed for Item 19a.

ACTION: Zoning Administrator closed the public hearing and granted modifications and variances.

20. 2003.0090C (D. SIROIS: (415) 558-6313)
3953 24TH STREET - south side of 24th Street, between Sanchez Street and Noe Street, Lot 032 in Assessor's Block 6508 - Request for conditional use authorization pursuant to Planning Code Sections 728.39 & 161(j) to demolish an existing single-family dwelling and to construct a four-story (plus basement) mixed-use building without the required one off-street parking space. The proposal includes six senior dwelling units on the upper three floors and approximately 2,400 square of retail space in two separate commercial units. The project site is located in the 24th-Street, Noe Valley, Neighborhood Commercial District in a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

Re: Request for Continuance

Lynne Lombardo – Jersey Street Neighbors for Responsible Growth

Re: Continuance

- This project is an extremely bad precedent for this neighborhood.
- She would like to have all the Commissioners present to make decisions on this project.
- She received the plans for this project about one week ago and she needs more time to analyze this.

Claire Pilcher – Friends of Noe Valley

- She is also concerned about the entire 24th Street corridor
- She has not even seen the plans.
- They really need more time to discuss the issues.

Cathy Shereet

- She attended the meetings on this project and saw the plans, pictures, etc.
- The project sponsor has made many revisions to this project.
- The building that is coming down is obsolete but the building that will replace it should match the character of the neighborhood.
- She does not agree to a continuance request because nothing can be changed if the project does not get started.

Peggy Lenartowicz – Jersey Street Neighbors for Responsible Growth

- She just received the plans less than one week ago.
- The new plans are incomplete.
- There are about 900 signatures throughout Noe Valley and the City of San Francisco who are opposed to the project.
- A continuance is desperately needed.

Lou Blazej

- Representatives of Noe Valley and other neighborhood organizations who are not here asking for a continuance.
- There are a lot of people who just do not like this project.
- He hopes that the Commission will hear this project because the project sponsor has done all they can to accommodate the issues and requests from the neighbors.

Paul Catis – East and West Castro Street Improvement Club

- There are a lot of items that need to get "ironed" out so a continuance is appropriate.

SPEAKER(S):*Re: Merits of the Case***(+) Lou Blazej – Project Sponsor**

- He displayed a photograph of the current location and the proposed structure.
- He and the Project Sponsor have done their best to meet the concerns of the neighbors.
- There will be six residential units, more retail space, no new curb cuts, metered parking, etc.

(-) Paul Kantus – East and West of Castro Improvement Club

- This building is a four story building on a two story building block.
- This project will set a present for anyone who will want to tear down a home and build a huge building
- This building is too tall.

(+) John Brunn – Friends of Noe Valley

- They are unanimously opposed to this project and hopes that the Commission will listen to the desires of the neighborhood.

(-) Peggy Lenartowicz – Jersey Street Neighbors for Responsible Growth

- The design that is currently being presented to the Commission, she received only about one week ago.
- They are very adamant about having the top floor removed, set back or no set back.
- This project is going to present a negative impact on the neighborhood.
- They are asking for preservation of their neighborhood.
- A healthy neighborhood is very important.

(-) Steve March – Jersey Street Neighbors for Responsible Growth

- He lives on Jersey Street.
- This project is not in keeping with the character of the neighborhood.

(-) Lynne Lombardo – Jersey Street Neighbors for Responsible Growth

- She is mostly concerned about the height and bulk of the building.
- She displayed photographs showing the impact the building will have on the adjacent homes and the neighborhood as a whole.
- They want a well-designed building. They are not fighting that.

(-) Yvonne Borg – Jersey Street Neighbors for Responsible Growth

- She lives on the backside of the proposed project and does not support it.

(-) Anastasia Yovanopoulos – Friends of Noe Valley

- She lives in the area.
- This project will be an eye sore.
- The project sponsor is not respecting the wishes of the neighbors.
- They want the top taken off.

(-) Ean Yovanopis

- Noe Valley has always been known as a very "wonderful community."
- This area makes it different than any other places in this country.
- Part of the beauty is the sense of community and the buildings.
- This project is just too big and out of scale.

(-) Amalia Ahruia-Hartwell – Friends of Noe Valley

- There should be restrictions on the residents of this structure.
- Many of the neighborhood associations of the area are against this project.
- The first picture that the developer presented is really what was intended. There has not been much change done to the design.

(+) Tom McDonough

- Cities are about density.
- The building will be close to a major transit corridor.

(+) Jeremy Paul

- He is a neighbor and knows that the building to be demolished is a place that needs to be addressed because it is an eyesore.
- He is strongly in favor of this project.

(+) Elise Langer

- She is concerned about how traffic will be enforced.
- What will prevent them from having one or more cars? Where will they park?
- She requested a condition requiring developers to provide parking at another location, prevent public access from the back for security, privacy and noise.
- She also requested that the Planning Commission authorize residential parking permits on three blocks of Jersey, Church, Sanchez, Noe and Castro. This would mitigate the impact on parking.

(-) Stephen Jane – Jersey Street Neighbors for Responsible Growth

- He lives on Jersey Street.
- He is opposed to the design plans because they don't show dimensions and don't show the height at all.
- The Commission cannot evaluate accurately the impact of a building until there are design drawings that accurately show the height of all the existing structures that surround the buildings and that accurately show dimensions.
- He asked the developer to provide a diagram showing the relationship between the proposed building and the buildings on Jersey Street and they did not provide this to them. The information on the story pole showing the height was not provided to them either.

(+) Brandon Mere – Painting Contractor

- The project will have a Victorian facade with pleasant color schemes and top quality materials inside and outside.
- The construction will fit the surrounding neighborhood.
- The buildings are 40 feet tall.
- He thinks that the Project Sponsor should be commended for providing senior housing in such a desirable neighborhood.

(+) Terry McJagger

- He has worked for the construction developers for the last six years.
- He knows that the contractor does first class projects.

(+) Cathy Sherette

- She is a realtor but she does not stand to profit from her statements.
- It is important to build better communities.
- This is an opportunity for senior housing.
- Change will be the future of 24th Street.

(+) Jason Lie

- He comes to 24th Street about three times a week.
- He is an owner of a hardwood floor company.
- He is speaking on behalf of he and his staff who are in support of this project.
- He has been working with the Developer for a number of years

(+) Mike Cassidy

- He has worked on a lot of projects in the area.
- He realizes that the area has heavy traffic.
- Because of the elevation of the home, and if one is standing on the roof of the project, the roof tops of the homes appear as if they were all the same elevation.

(-) Clara Filter

- She has belonged to Friends of Noe Valley since 1971 after she lost a Planning battle by one vote and was told it was because they were not organized.
- She is worried about the precedent this project will create in the area.
- If everyone involved had been at the three meetings with the Friends of Noe Valley, seen what is being presented today, there would be a lot less to talk about tonight.
- They were never shown these new facades or modifications.

(+) Carol Deny – President of Noe Valley Merchants Association

- When this project started they were unhappy with a number of Issues, they were unhappy with the design specifically.
- They just want to make sure that designs in Noe Valley follow the Residential Design Guidelines.

- They are very happy with the Victorian design.
- The other issue that the Merchants have is that they actually wanted the parking and they were convinced by Friends of Noe Valley that it would be much better for the neighborhood, for walking on 24th street, if they gave in on the issue of parking.
- As far as he is concerned, the design that they saw this week met with satisfaction of the Merchant Association, and they are very happy with the response they got from the builder.

(+) Phil Smith

- He lives on the Peninsula.
- He thinks this is a good project for the area because about 30% of his annual work is in Noe Valley.
- The contractor working on this project gives a lot of attention to detail.

(+) Eileen Long

- She lives a few blocks East of Noe Valley and she shops on 24th Street most days of the week.
- Bell market has been her Supermarket for over 15 years.
- She is concerned for the 24th street project because there has been a lot of work done.
- Many other buildings are over 30 feet.
- She urged the Commission to vote favorably.

(+) Joe O'Donaghue – Residential Builders

- People seem to think that what is big is ugly.
- This project sponsor in this instance is putting as much incredible attention to detail in the rear of the building as he is on the front of the building.
- When one looks out the window, one will mostly see a beautifully designed building from the rear. As well as obviously what would appear from the front.

(+) Rodrigo Santos – Structural Engineer

- His firm was asked to do a structural investigation of the [existing] building.
- He made the investigation on observations and testing.
- He found it is not only a blight but structurally unsound building.
- It is made out of all bricks with practically no mortar.
- The framing is 2 by 8 framing.
- There is no structural element in that building according to code.
- He is suggesting a complete demolition of the building and replacement with an architecturally well thought out structure. And that is what has been presented by the project sponsor.

(+) Drake Gardner – Principal Designer

- When he initially designed this project, he went full envelope allowed by the Planning Code, including parking.
- He went with a modern design. He always tries to integrate in the community if he can.
- Although we're modernists, we are quite able to do traditional buildings.
- He presented this project to the community and got a lot of feedback.
- It became apparent that the height and bulk were going to be an issue, the style was going to be an issue. So they had to rethink the project.

(+) Lou Pine

- He has worked in the lighting industry in San Francisco for 19 years.
- He deals with all sorts of builders.
- His comments are related to the commitment that the Project Sponsors has on this project.
- They are serious about what they do and they take pride in having building structures that embellish the neighborhood.

ACTION: Approved as Amended: 1) Restrict occupants to age 62 minimum; and
2) allow only two storefronts.
AYES: Antonini, Bradford Bell, Boyd, W. Lee
ABSENT: Feldstein, Hughes, S. Lee

21. 2002.1121C (T. WANG: (415) 558-6335)
344 TARAVAL STREET - north side between Funston and 14th Avenues; Lot 021 in Assessor's Block 2342 - Request for Conditional Use authorization under Section 711.38 of the Planning Code for the conversion from a second floor residential use to non-residential uses. The proposal is to (1) construct a two-story rear addition and a third story vertical addition to the existing two-story, single-family dwelling; (2) establish a dental office on the ground floor; (3) convert the second floor from residential use to two offices in the rear, accessory to the dental office and an insurance office at the front; and (4) relocate the second floor dwelling unit to the new third story in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) Jeremy Paul – Representing Project Sponsor

- This building was properly permitted in its expansion, installation of the dental office, in the creation of a fully accessible elevator, etc.
- The impacts of this conditional use will be minimal.
- The impact of having commercial occupancy on the second floor will not be substantial to the neighborhood.
- He displayed a photograph of the façade of the buildings on the street.
- The expansion of the building is very much in character with the neighborhood.

(+) Zelco Zimony

- He lives in the neighborhood.
- The project sponsor occupies the entire first and second floor.

(+) Joe O'Donaghue

- He does not understand why Mr. Zimony is protesting this project since the project sponsor is only trying to expand and house his family.
- This is another frivolous protest.

ACTION: Approved as Amended: delete the conditions that talks about continuing use and abandonment.

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

MOTION: 16637

G. DISCRETIONARY REVIEW HEARING

At approximately **6:30 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

22. 2003.0368D (M. SMITH: (415) 558-6322)
646 LAKEVIEW AVENUE - north side of the street between Miramar and Granada Avenues, Lot 021 in Assessor's Block 7016 – Request for Discretionary Review of Building Permit Application No. 2002.06.25.9960, proposing to construct a one-story over garage and basement single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications.

SPEAKER(S):

(-) Raymond Hill – Discretionary Review Requestor

- He moved into this area in 1981.
- He is concerned that the new construction will pass the back part of his house and he will open his window and there will be a wall there.

- He is also concerned that the project will make his house lose value.
- The new construction is just huge.

(-) Tom Bura

- He welcomes construction in the neighborhood because they want to be good neighbors, but the project sponsor should abide by the fact that this is a Single-Family home area.
- If this project is built as proposed it will increase the parking problems in the neighborhood because the house has a garage for one car only.

(-) Brian Trahian

- The concerns that most of the neighbors have is that most of the homes in the neighborhood are made up of single-family, modest homes that are mostly owner occupied, but this construction is begging to be converted into a multifamily type of dwelling.
- This project is three times the size of the homes in this neighborhood.
- It just really needs to be scaled down.

(-) Chris Vera

- He is concerned with the size of the new construction.
- He believes it is just too large for the neighborhood.

(-) Anderson (did not state last name)

- He is opposed to this project because it is too large.
- He feels that it is twice the size of the homes in the neighborhood and it only has a one car garage.
- It just does not fit into this neighborhood.

(+) James Lee – Engineer and Designer

- He displayed diagrams showing the interior and exterior design of the house.
- The house needs to be that size because the Project Sponsor plans to have his entire family live there.

ACTION: Took Discretionary Review and approved the project with modifications: Reduce the depth of the building by 18-feet at all levels and record a Notice of Special Restrictions on the property to limit its use to a single-family dwelling.

AYES: Antonini, Bradford Bell, Boyd, W. Lee

ABSENT: Feldstein, Hughes, S. Lee

23. 2003.0585D (R. CRAWFORD: (415) 558-6358)
465 DAY STREET - south side between Noe and Castro Streets. Assessor's Block 6640 Lot 008. Request for Discretionary Review of Building Permit Application No. 2002 1218 3820, to construct a two story rear addition to the existing two story one family dwelling in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications.

SPEAKER(S):

(-) Deborah Delambert – Discretionary Review Requestor

- She has a correction; it is not true that her building is taller than the proposed plan. It is somewhere above her second story.
- She is not opposing to the square footage that this project is proposing.
- She is just asking that the second story of the building not protrude so far into the backyard, this would be in keeping with the neighborhood character and pattern of development.
- She displayed photographs comparing the Project Sponsor's plan with her plan.

(-) Scott McFurdy

- He lives on Day Street, one lot east and downhill from the proposed project.
- He did not agree to the modifications as proposed.

- He wants to reiterate what was said in that he is not opposed to the development of this property or to the square footage that the project sponsor wants.
- He is actually in favor of that.
- What he is opposed to is the distribution of the square footage because it will have a negative impact on him as immediate neighbors and to the neighborhood as a whole.
- He feels that 461 Day will bury his home.
- The project will dump him between an existing 17 foot high wall to the east and a proposed even bigger 24 foot wall plus a peaked wall to the west.

(-) Chandler Visher

- He and his wife own property on Day Street.
- He would like to hire an architect to develop a plan that would be architecturally consistent with the present plan.
- One of the concerns the project sponsors had was that they don't like the idea that their present plan has a different slope than the existing slope.
- The existing slope is steeper. He feels that a plan that is more consistent with the neighborhood would be better.

(+) Jane Phillips – Project Sponsor

- She has lived on Day Street for nearly 23 years.
- What she is proposed is a modest expansion for only the amount of space that she really needed.
- She has had several meetings with the neighbors.
- She believes that the compromises they have made are significant and reasonable.
- She is willing to make changes to satisfy the neighbor's request.
- She does not understand how this project impacts her neighbors.

(+) Ronald P. St. Clair

- Since the filing of their permit application in December of last year, they have met with the neighbors on various occasions.
- He thought he had resolved the issues.
- He looks forward to continuing his neighborly communication regarding this matter.
- He has made every effort to avoid having to come here today.
- He has tried to accommodate his neighbor's concerns without sacrificing the architecture of his home and the modest space that they have.

(+) Sarah St. Clair

- She lives with her parents and often wonders why she is living in a closet.
- She really wants a second story.
- She believes that sometimes her life and the live of her parents would be much easier if – Her parents are very hard-working people and they need more space to work.

(+) William Pashelinksy - Project Architect.

- The design of the new building will clearly change the appearance of the current cottage.
- One of the points brought up was the nature of tearing down these types of houses and having the impact upon San Francisco Streets.
- The project sponsor feels strongly in terms of preserving the feeling of a cottage.
- The rooms are so modest in size that Sarah's bedroom cannot have a closet.

ACTION: Take Discretionary Review with the following modifications of the subject building permit application: Revision R-1 of the Building Permit Application for the project shall be approved as submitted on July 31, 2003 provided that the closet and window on the west wall of the second floor bedroom shall be flipped on the plan such that the projecting close is moved forward on the building.

AYES: Antonini, Bradford Bell, Boyd, W. Lee
ABSENT: Feldstein, Hughes, S. Lee

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

NONE

Adjournment: 7:40 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 2, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

10
28/03

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, August 28, 2003**

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

OCT - 1 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Kevin Hughes,
William L. Lee

COMMISSIONERS ABSENT: Lisa Feldstein and Sue Lee

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:31 p.m.

STAFF IN ATTENDANCE: Larry Badiner - Acting Director; Jim Nixon - Acting Zoning Administrator;
Susan Cleveland-Knowles - Deputy City Attorney; Matt Snyder; Michael Smith; Tina Tam; Jonathan
Purvis; Dan Dibartolo; Dan Sirois; Jonas Ionin - Acting Commission Secretary (until 3:30 p.m.); Linda
Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.1021C (G. CABREROS: (415) 558-6169)
2525 CALIFORNIA STREET - south side between Steiner and Pierce Streets, Lot 032 in Assessor's Block 0655 - Request for Conditional Use Authorization under Planning Code Section 718.11 for a development with a lot size exceeding 5,000 square feet in area. The proposal is to demolish the existing one-story commercial building and construct a four-story building with up to 16 dwelling units on the three upper stories, up to 4,999 square feet of retail space (Other Retail Sales and Services per Planning Code Section 790.102) on the ground floor, and up to 24 parking spaces in a basement garage, within the Upper Fillmore Neighborhood Commercial District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of July 24, 2003)

(Proposed for Continuance to September 4, 2003)

SPEAKER(S): None

ACTION: Continued as proposed.

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee
ABSENT: Feldstein and S. Lee

2. 2002.0913C (G. NELSON: (415) 558-6257)
2001 UNION STREET - southwest corner of Union and Buchanan Streets; Lot 024 in Assessor's Block 0541 - Request for Conditional Use authorization pursuant to Section 725.83, of the Planning Code to install six (6) cellular antennas and five (5) related equipment cabinets on the roof of the Union Street Plaza Building, as part of Sprint PCS' telecommunications network within the Union Street Neighborhood Commercial District and a 40-X Height and Bulk District. The proposed antennas would be flush mounted to an existing rooftop penthouse, and the related equipment would be housed in a new mechanical penthouse that would be partially visible from the street below. The site is considered a Preference 2 under the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines, as it is a "co-location" site. However, due to a prior Planning Commission action and approved Motion No. 16084 for case no 2000.0385C the site had been deemed a Preference 6. The Planning Commission will consider under which Preference (2 or 6) to review the application. Sprint has also modified the location of the proposed rooftop mechanical penthouse from their original proposal.
Preliminary Recommendation: Approval with Conditions
(Continued from regular meeting of July 24, 2003)
(Proposed for Continuance to September 4, 2003)

SPEAKER(S): None
ACTION: Continued as proposed
AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee
ABSENT: Feldstein and S. Lee

3. 2002.0207C (R. CRAWFORD: (415) 558-6358)
5894 - 5898 MISSION STREET - at Huron Street and Sickles Avenue, Assessor's Block 7143 Lot 033 - Request for Conditional Use Authorization under, Planning Code Section 178(c) for enlargement of a gas station with a convenience store open 24 hours a day; and Planning Code Section 229(b) to allow beer and wine sales at a gas station in an NC-2 (Small Scale Neighborhood Commercial District) and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions to not allow beer and wine sales among other things.
NOTE: On May 22, 2003, following public testimony, the Commission closed the public hearing and continued this matter to June 26, 2003 with instructions to the project sponsor to: 1) go back and look at the site plans more closely regarding the placement of the store on the lot; 2) start construction within three years or the conditional use will expire; 3) no 24 hour use; 4) no alcohol sales; 5) project sponsor to work with community. One June 26, 2003 this matter was continued to August 28, 2003.
(Proposed for Continuance to September 4, 2003)

SPEAKER(S): None
ACTION: Continued as proposed
AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee
ABSENT: Feldstein and S. Lee

4. 2003.0620D (J. PURVIS: (415) 558-6354)
1532-1534 TREAT AVENUE - west side, south of Precita Avenue; Lot 006 in Assessor's Block 5524. Mandatory Discretionary Review of Building Permit Application No. 2003.03.27.0853 to demolish a two-family dwelling and replace with a new two-family

dwelling within an RH-2 (Residential, Two-Family) District, a 40-X Height and Bulk District, and within the Bernal Heights Special Use District.

Preliminary Recommendation: Do not take Discretionary Review and Approve Demolition.
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

ABSENT: Feldstein and S. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Consideration of Adoption - Minutes of May 8, May 22, and June 5, 2003.

Minutes of May 8, 2003:

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

ABSENT: Feldstein and S. Lee

Minutes of May 22, 2003:

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, W. Lee

EXCUSED: Boyd

ABSENT: Feldstein and S. Lee

Minutes of June 5, 2003:

SPEAKER(S): None

ACTION: Continued to September 4, 2003

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

ABSENT: Feldstein and S. Lee

6. Commission Comments/Questions

Commissioner Bill Lee:

Re: Housing Element

- He requested a timetable for the Commission and the public regarding the completion of our draft housing element.
- He requested this conversation take place at the next Commission meeting.
- He also requested that there be two or three more hearings and adoption on this issue before the end of the year.

Commissioner Hughes:

Re: Discretionary Reviews (DR)

- He requested that we calendar a discussion on Discretionary Reviews.
- The time spent on DRs takes away from time that the Commission could be looking at long range Planning items.
- A review of DRs should especially focus on what sort of administrative threshold the Commission might establish that may fall over or under exceptional and extraordinary circumstances with the idea of having some administrative relief from the number of DRs we get.

Acting Director, Larry Badiner responded:

- The item on Discretionary Review has been scheduled for September 11, 2003.

- Jonas Ionin of staff will be giving that presentation. The public hearing will first open a discussions on 1) are there ways that DRs can be handled?...some of them administratively? 2) what criteria should be set? 3) how should this go forward. This would be a non action item so staff would only be seeking comments and input.

Commissioner Antonini:

- He supports Commissioner Bill Lee's comments regarding the Housing Element.

Commissioner Bradford Bell:

- She wondered if the Records Retention Policy was supposed to be heard today?

Acting Director, Larry Badiner responded:

- This item will be heard on September 4, 2003.

C. DIRECTOR'S REPORT

7. Director's Announcements

RE: Discretionary Review (DR)

We are aware of the workload the Commission has. We've clearly heard that there is a desire to consider administrative remedies, that some simple DRs be handled at staff level. If issues still remain after staff action, they would go to the Board of Appeals. There would have to be some legislation that you [the Commission] would have to adopt because "311" requires that you hear all DRs. This would be a proposal for you to consider on 9/11/03.

RE: Housing Element Schedule

It is my understand that we are releasing the draft with Commissioner's and other's comments on 9/18. At that time, I believe we are going to propose a schedule of how we get to final adoption.

RE: Responding to items from last week.

- When discussing the Housing Element last week and the extensive outreach we were going to do, including a series of ads and mailings to neighborhood groups... There was also a previous request that perhaps we notify all parcels in the City. We did look into that. That would cost approximately \$350,000. to do. We don't have that in the budget. It is not required under the code. We are doing a series of public service announcements, ads in a variety of newspapers, etc. But we, nor the City have the money to notify every parcel.

- Also from last week, Commissioner Bill. Lee asked us about the Housing Demolition Policy and how many buildings were in the backlog and pipeline when we adopted the policy. We will have answers on this in the next week or so and send you a memo.

- Another thing: As you are aware, the Department has received its budget and we are working through it to understand all the concerns. But one of the things that we know happened is that we lost one of our senior planner positions. We need to respond to that in terms of how we organize the Department. We (senior staff) have prepared a proposal that we shared with staff in a general staff meeting, giving them an opportunity to weigh in with their suggestions. We will then bring it to the Commission.

Commissioner Hughes asked about changes to DBI's alteration [policy].

Director Badiner's Response:

- Yes. It is his understanding that Director Chiu has issued a requirement that any building that proposes a vertical addition of two stories or a major rear addition (not sure how that's defined), needs to be reviewed by his senior staff (that might include him). The concept is that if it meets with their definition of what a major alteration is, but is not a demolition, then they may require two alteration permits – one for the alteration they want to do, and one that is a demolition type permit that doesn't meet the strict requirements of a demolition which removes all studs down to the

foundation. It would not fall under a Form 6. We haven't yet seen any of those. I think it's an evolving policy, but a step in the right direction. The down side is, he believes it would raise the number of DRs that come to us. We might have to adjust our draft demolition policy to respond to that.

Commissioner Hughes requested a copy of the changes to the Major Alteration Policy.

Director Badiner responded that he would send him what he has.

Commissioner Antonini's comments:

As we go through the Housing Element and the draft Demolition Policy we will in fact make recommendations. I'm not sure they will have the force of actual law, but they have the force of recommendation in terms of what we will consider before us for demolition and what we won't. So part of this might evolve into a solution by the time we get to those two things.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
None

D. REGULAR CALENDAR

9. 2003.0449L (M. SNYDER: (415) 575-6891)
2924-2948 16TH STREET – the Labor Temple / Redstone Building, northeast corner of 16th Street and Capp Street, Lot 14 in Assessor's Block 3553 -- Request for the Planning Commission to adopt a Resolution approving the designation of the Labor Temple / Redstone Building as Landmark No. 238, and recommending to the Board of Supervisors that they approve the designation of the Labor Temple / Redstone Building as Landmark No. 238.
Preliminary Recommendation: Approval

SPEAKER(S):

(+) Tim Kelley, President of the SF Landmarks Board

- Pleased and proud to bring this forward. This is the second in what he hopes will be many more labor oriented landmarks in San Francisco. Hopes the Commission will join the Landmarks Board in supporting this and reaching out to many groups that have been unrepresented in the preservation program to date.

(+) Betty Traynor, Representing the tenants in the building

- From the time the tenants association was founded, it has been our goal to landmark the building because we recognized its history. We have [broad] support for this, and we look forward to a big celebration.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

ABSENT: Feldstein and S. Lee

MOTION: 16638

10. 2003.0376C (M. SMITH: (415) 558-6322)
5630 MISSION STREET - north side, between Naglee and Whipple Avenues, Lot 012 in Assessor's Block 7098 - Request by Verizon Wireless for Conditional Use Authorization under Planning Code Section 711.83 to install eight (8) antennas on the rooftop and associated equipment cabinets within the interior storage room of a motel (The Mission Inn) located in a NC-2 (Small-Scale Neighborhood Commercial District) and 40-X Height and Bulk District. Per the City and County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a location Preference 4 site as it is a wholly commercial building within a NC-2 District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of July 24, 2003)

SPEAKER(S):

(+) Jason Smith, Representing Verizon Wireless

- Described the project and explained why they need the requested equipment.

ACTION: Approved as amended: six panel antennas and one GPS antenna.

AYES: Antonini, Boyd, Hughes, W. Lee

NAYES: Bradford Bell

ABSENT: Feldstein and S. Lee

MOTION: 16639

11. 2003.0705C (T. TAM: (415) 558-6325)
3981 ALEMANY BOULEVARD - south side, between Worchester Street and St. Charles Avenue, Lot 9 in Assessor's Block 7126A- Request for Conditional Use Authorization pursuant to Planning Code Section 713.67 for the establishment of a video rental and sale business (Hollywood Video), approximately 5,900 square feet in size, operating between 10:00 a.m. to 12:00 midnight. The property is in an NC-S (Neighborhood Commercial - Shopping Center) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Steve Vettel, Representing the Project Sponsor

- Gave a powerpoint presentation on the revitalized shopping center and demonstrated the desirability and need for this project request.

(-) Claire Sanchez

- The windows of her home overlook the proposed Hollywood Video site. The hours of operation are un-needed in our neighborhood. They will only bring large gatherings of teenagers. The additional noise and lighting are not conducive to our residential community. They had an agreement last week with Hollywood Video for two backlit signs, now yesterday they have changed it. Who's to say it will not be altered after they make an agreement today?

(-) Dennis Sanchez

- Concerned about traffic, parking, illuminated signage, hours of operation, and security. We reached an agreement with them on signage. But last night they changed it.

(-) Stephen Heide, METNA

- This is a totally inappropriate use of the center, and I'm very much against this in our neighborhood.

(-) Nina Godinez

- I live at 3976 Alemany Blvd. And was distressed to hear that Hollywood Video would move into the vacant retail space. I am very concerned about their hours of operations. I am also concerned that they have now altered our agreement on the signage.

(-) Leroy Gullette

- I live directly across from the proposed site. There are four main issues: The drop box was the only issue agreed upon; people are concerned about traffic because with Alemany in front of the store without a left turn...; parking spaces—people don't use the spaces for the apartment building because they are charged for them; the signage was agreed on during the meeting, but now they have changed it around. Most important is the hours [of operation].

(+) Rick Bartlett, District Manager for Hollywood Video

- They do have stores that close at 10 p.m. during the week, but all [his] stores close at midnight on the weekends. Our stores are family stores. We provide a service for the community. We don't have a lot of teenage problems. But any problems are addressed immediately with the local authority. We have a wide selection of items in all categories. We are here to work with the community as much as we can.

(-) Herbert Panaszewicz

- I oppose the video store at the proposed location. Albertson's supermarket is already renting and selling videos at Ocean View Village. Traffic and parking are a concern. Security on the property is haphazard.

(-) Carina Brewer

- I live at 201 Chester, about a block away from the proposed site. This [Hollywood Video] is not desired by the community. This center was dropped on the neighborhood. This is not something that was requested by our neighborhood. The hours of operation are a big concern by the folks that live in this neighborhood. Security is an issue with this center. Parking is a problem with what they have designed. Not opposed to Hollywood Video coming in if they can abide by the neighborhood.

(+) Alastair MacTaggart, Emerald Fund

- We are no longer the owners of this site, but we were the developers. With all due respect, "I" did go to the community meetings and listened when they told us to bring in an independent video store. Our broker contacted all independent video store owners west of Twin Peaks. We tried to find anybody who would go in there. We tried to find a restaurant. Despite what the neighborhood may think, this is not the easiest area of the city to rent retail in. 75,000 out or roughly 90,000 square feet in this center is already open to midnight. So this will not be the only store open. The incremental traffic we're talking about is fairly minimal. We have adequate parking per the planning guidelines, and we have 24 hour security in our parking lot. When the neighbors told us they didn't like the firm managing the security, we changed it. We live in a city and I don't think there will be an enormous amount of traffic.

(+) Oz Erickson, Emerald Fund

- We were brought in by OMI Neighbors In Action to redevelop this center. We were supported by all four major neighborhood associations when we did this. METNA was formed after we did this. We have made every effort to make this place a really nice place. This is an urban center..., and to make it a success we need these tenants. We made every effort to bring in an independent video store. The people who live in the center want this video store. They also want the restaurants to come in. On the hours of operation, we are talking about 10 p.m. to midnight. There is no traffic.

(-) Mark Christensen, Merced Extension Triangle Neighborhood Association

- The former Commission approved this. There are three stores in operation in this center: Albertson's, Rite Aid, and Post Net. These stores are setback more than 100 feet from Alemany. Only Albertson's is open until midnight. Rite Aid closes by 10 p.m. and Post Net closes earlier in the evening. Also, as you heard, other Hollywood Video stores close by 10 p.m. We believe that 10 p.m. is reasonable. We agreed to two signs, now they want three signs. We hope that if you grant this application, you go back to the original signage and that you approve the hours of operation to close no later than 10 p.m.

(-) Joe O'Donoghue

- I agree with Mr. Christensen. Over 1,000 people opposed this proposal when it was first presented over four years ago. The developers intensified the use. Developers have an obligation of good neighbor policy. Hollywood Video made an agreement to have two signs. Do not allow them to go back on that agreement. When there is an agreement, we all have an obligation to keep to that agreement. If it is going to be broken, then we should continue the meeting and go back to negotiations. The hours of operation should be kept to 10 p.m. We were guilty four years ago and didn't speak out. Now we are [speaking out].

(+) Markus Welcher, Construction Manager for Hollywood Video

- The reason for changing the signage is because Hollywood corporate decided this. We have eliminated the A-1 sign shown on your site plans. We will agree to eliminate that sign and add the A-2. So we are only proposing two signs at this point.

[He also talked about what the B sign would look like at night time by showing a color photo (the illumination component was not clear)]. There is approximately 90 parking spaces under the residential units that will become available when these major tenants open. There is 24 hour security provided by the landlord.

ACTION: Approved as amended: 1) The hours of operation will be between 10:00 a.m. and 11:00 p.m. Sunday through Thursday and 10:00 a.m. to 12 midnight Friday and Saturday; 2) Two wall signs in the locations designated A.1 and B on Drawing 03-0433 in Exhibit B plans shall be permitted; no sign shall be permitted in the location designated A.2 on Drawing 03-0433 or on façade of the store directly abutting Alemany Blvd. All sign illumination shall be turned off when the store closes in the evening; 3) The property owner and tenant shall make good faith efforts to assure there is adequate security during store operating hours to prevent disruptive behavior in the Center's parking lot.

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

ABSENT: Feldstein and S. Lee

MOTION: 16640

12. 2002.1105C (T. TAM: (415) 558-6325)
4039 18TH STREET - south side, between Hartford and Noe Streets, Lot 81 in Assessor's Block 3583 - Request for a Conditional Use Authorization pursuant to Planning Code Sections 186, 715, and 151, to allow (1) conversion of an existing nonconforming large fast-food restaurant (Hot n' Hunky's) to a full-service restaurant, (2) demolition of an existing two-bedroom unit on the second floor, and (3) addition of one new dwelling unit without providing any off-street parking. The property is in the Castro Street Neighborhood Commercial District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Alan Toma, Project Architect

- Gave a brief 12 year history of the project sponsor's business in the neighborhood, and his vision and desire to continue that business and expand it at the proposed site.

(-) Alex Blanchard

- We are the sole tenants of 4041 and the project sponsor has not considered the impact on our lives, the local economy, and affordable housing. The proposed plan would negatively impact us by raising our rent by 50% when we have to move out. The project will cause noise problems, and the City will lose affordable housing. The new units will not be under rent control and will not be affordable. It will also cause parking problems. When the project sponsor went out seeking signatures of support, the community was misled into thinking that they were only supporting the restaurant conversion, not the whole building.

(-) Ana Martinex

I live with Alex. 18th and Castro is really congested now and a full service restaurant will only make it worse. I am also very concerned about the loss of affordable housing. It is going to be really hard to find another unit that gives us the space we have now at our current rent.

ACTION: Intent to approve the restaurant conversion but not the residential conversion. Final action scheduled on September 11, 2003.

AYES: Antonini, Bradford Bell, Boyd, Hughes

NAYES: W. Lee

ABSENT: Feldstein and S. Lee

13. 2002.1306C (J. PURVIS: (415) 558-6354)
1155 TENNESSEE STREET - east side south of 22nd Street; Lot 044 in Assessor's Block 4172 - Request for Conditional Use Authorization under Planning Code Section 711.38,

to convert a dwelling unit into office space on the second floor of a three-unit, three-story-over-garage building, within an NC-2 (Small-Scale Neighborhood Commercial) District and a 50-X Height and Bulk District.

Preliminary Recommendation: Disapproval

SPEAKER(S):

(+) Shawn Gorman, Project Architect

- Explained the desire and need of the project sponsor to convert vacant dwelling space—that was once occupied by the sponsor—into needed office space for the sponsor's existing on-site business. This is a small family business and is an asset in San Francisco. There are other compatible uses in the area. The approval will not change the building.

(+) Regan Carol, Project Sponsor

- It was stated that the neighborhood was largely residential in character. That is not true. [He showed various photos of commercial or not-residential uses in the neighborhood that would complement the proposed use of his property.] He walked the neighborhood and presented a signed list of people supporting what he wants to do with his business on his property.

(+) Joe O'Donaghue

- What's important about this project is that there is no tenant displacement whatsoever. It has always been occupied by the sponsor.

ACTION: Intent to approve. Final action scheduled on September 25, 2003.

AYES: Antonini, Bradford Bell, Hughes, W. Lee

NAYES: Boyd

ABSENT: Feldstein and S. Lee

14. 2003.0440C (D. DIBARTOLO: (415) 558-6291)
845 JACKSON STREET - south side between Stockton and Powell Streets; Lot 041 in Assessor's Block 0192 - Request by Verizon Wireless for Conditional Use Authorization pursuant to Section 812.82 of the Planning Code to install twelve panel antennas and associated equipment cabinets on the roof of the existing 70-foot tall ("New Chinese Hospital") building, located in a CR-NC (Chinatown Residential Neighborhood Commercial) District and a 65-N Height and Bulk District. Per the City and County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a location Preference 1 site, as the structure is a publicly used hospital.
 Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):

(+) Jason Smith, Representing Verizon Wireless

- Described the project and explained why they need the requested equipment.

(+) Kenny Silverman, Verizon Wireless RF Engineer

- Responding to the question of why Verizon needs 12 antennas. The 12 antennas will address our need today for six antennas, and because of the dense populated area, the other six will address our future needs. We wanted to address our immediate need and what we feel we would need in the very near future without coming back to the Commission.

MOTION: To approve six (6) antennas

AYES: Antonini, Boyd, W. Lee

NAYES: Bradford Bell and Hughes

ABSENT: Feldstein and S. Lee

RESULT: The motion failed

ACTION: Approved four (4) antennas

AYES: Antonini, Boyd, Hughes, W. Lee

NAYES: Bradford Bell
ABSENT: Feldstein and S. Lee
MOTION No. 16641

F. DISCRETIONARY REVIEW HEARING

At approximately **6:00 PM** the Planning Commission convened into a Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

15. 2001.0840D (D. SIROIS: (415) 558-6313)
454 RALSTON STREET - east side of Ralston Street, between Holloway & Garfield, Lot 037 in Assessor's Block 6995--Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2001.04.18.7135, to demolish an existing single-family dwelling (the project also includes the construction of a new single-family dwelling) in an RH-1 (Residential House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and Approve the Demolition.

SPEAKER(S):

(+) **Tony Sanchez**

To repair this structure would cost more than 50% of the replacement as proposed.

ACTION: Did not take Discretionary Review and approved the demolition.
AYES: Antonini, Bradford Bell, Hughes, W. Lee
ABSENT: Boyd, Feldstein, and S. Lee

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKERS:

(Did not state his name)

- Re: Coit Tower Mural Revivalists--local, grassroots artist movement.

Adjournment: 6:12 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 25, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee

EXCUSED: Feldstein, and S. Lee
ABSENT: W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

DOCUMENTS DEPT.

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, September 4, 2003

OCT - 1 2003

SAN FRANCISCO
PUBLIC LIBRARY

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Lisa Feldstein, Kevin Hughes, Sue Lee William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:45 p.m.

STAFF IN ATTENDANCE: Larry Badiner - Acting Director; Jim Nixon - Acting Zoning Administrator; Elaine Warren - Deputy City Attorney; Ben Helber; Matt Snyder; Rick Crawford; Geoffrey Nelson; Glenn Cabrerros; Michael Smith; Ben Fu; Kate McGee; Michael Lee; Paul Maltzer; Joan Kugler; Nora Priego - Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2003.0611C (K. AMDUR: (415) 558-6351)
1121 POLK STREET - west side between Post and Sutter Streets; Lot 002 in Assessor's Block 0691 - Request for conditional use authorization for the addition of "Other Entertainment," in the form of a piano and piano player, to the existing bar d.b.a. "Katie's Cocktail Lounge." The bar is open from 10am to 1am seven days a week, and the entertainment would take place between 9pm and midnight. The bar is located on the ground floor of a 3-story building, with 24 dwelling units on the 2nd and 3rd floors. The subject property is located in the Polk Neighborhood Commercial District and a 130-E Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to September 18, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to September 18, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2002.0658C (M. WOODS: (415) 558-6315)
735 - 7th AVENUE, southwest corner of 7th Avenue and Cabrillo Street, an "L-shaped" lot extending to 8th Avenue, between Cabrillo and Fulton Streets; Lot 36, in Assessor's Block 1650 - Request for conditional use authorization for the construction of a new approximately 28,000 square-foot Safeway supermarket with up to 65 off-street surface parking spaces, to replace the existing approximately 16,000 square-foot Safeway supermarket, on an approximately 54,000 square-foot lot in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions
(Proposed for Continuance to September 18, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to September 18, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2003.0444D (S. VELLVE: (415) 558-6263)
586 LISBON STREET - northwest side between France and Russia Streets, Lot 016A in Assessor's Block 6274 - Request for Discretionary Review of Building Permit Application 2002.06.12.8815 to construct a new single-family dwelling located in an RH-1 (House, One-Family) District, 40-X Height/Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve with modifications.
(Continued from Regular Meeting of July 24, 2003)
NOTE: On July 24, 2003, following public testimony, the Commission closed the public hearing and passed a motion to continue this item to September 4, 2003 on a +6-1 vote (Commissioner Antonini voted against the continuance). The Commission requested better and more legible drawings.
(Proposed for Continuance to December 11, 2003)

SPEAKER(S):

Re: Continuance

Steve Currier – Mission Residents Association

- There was a problem between the neighbors and the property owner.
- His association met with the neighbors and has agreed to send a letter to the property owner to mitigate the problems they have had.
- The Planner gave an ok to the letter and to meet with the property owner.
- Hopefully, many of the issues will be resolved by December.

ACTION: Without hearing, item continued to December 11, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 4a. 2002.1220C (M. LI: (415) 558-6396)
999 GEARY STREET (990 POLK STREET) - southeast corner at Polk Street, Lots 006 and 007 in Assessor's Block 0716 - Request for conditional use authorization to (1) construct a 12-story, 106-foot-high building containing up to 143 dwelling units for low-income senior citizens and (2) reduce the number of required residential parking spaces within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 130-E Height and Bulk District. The project is proposing to provide 15 off-street parking spaces where 29 spaces are required.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of July 10, 2003)
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 4b. 2002.1220CV (M. LI: (415) 558-6396)
999 GEARY STREET (990 POLK STREET) - southeast corner at Polk Street, Lots 006 and 007 in Assessor's Block 0716 - Rear yard modification and usable open space and dwelling unit exposure variances sought. The proposed project is the construction of a 12-story, 106-foot-high building containing up to 143 dwelling units for low-income senior citizens within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 130-E Height and Bulk District. The rear yard modification and usable open space and dwelling unit exposure variances will be considered by the Zoning Administrator.
(Continued from Regular Meeting of July 10, 2003)
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

5. General Discussion of the Department's Priorities, Work Program and Organization.
(Proposed for Continuance to September 25, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to September 25, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption – Draft Minutes of June 5, 2003 (continued from 8/28/03), July 10, 17, 21, 24, 2003.

June 5, 2003:

SPEAKER(S): None

ACTION: Approved with Amendments: On the May 1, 2003 minutes, the correct statement should delete any reference to selling bagels.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

EXCUSED: Hughes

July 10, 2003

SPEAKER(S): None

ACTION: Approved with Amendments: Page 19, Item 13A, a restaurant was ok, it just could not have a liquor license.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

July 17, 2003

SPEAKER(S): None

ACTION: Approved with Amendments: Page 13, Item 13: required that a third party determine the necessity of another existing site.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

July 21, 2003

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, W. Lee

EXCUSED: Boyd and S. Lee

July 24, 2003

SPEAKER(S): None

ACTION: Without hearing, item continued to September 11, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

7. Commission Comments/Questions

Commissioner William Lee:

Re: Exactions

- Requested from staff or the City Attorney's office a list of what exactions from the present Planning Code the Commission is allowed for any type of commercial development, etc.
- He wants to know what people are paying now for open space, childcare, into MUNI, etc.

Re: Residential Design Guidelines

He received a draft report dated July 7 from the AIA regarding the Residential Design Guidelines. A copy was sent to Max Putra. He requested that these guidelines be included when the Commission discusses the final Residential Design Guidelines standards.

Re: Performance Measures for the Planning Department

- Get some indicators that are common throughout all City Planning departments in the United States so the department can judge themselves on the time it takes for an application to come in, using whatever the criteria is, to the time it gets to the Commission.

Commissioner Hughes:

Re: Robert McDonald

- This morning there was a memorial service for Robert McDonald.
- Mr. McDonald was a representative for Labor's Local 261. He sat on the Golden Gate Bridge District Board of Directors and was active in civic activities for many years.
- He requested that we adjourn today in memory of Robert McDonald.

Commissioner Antonini:

Re: Affordable Housing

- He had made a request for an update/briefing on affordable housing.
- He requested that this item be scheduled on an agenda before the Commission considers the Housing Element because it is a key feature.

Commissioner Boyd:

Re: Inclusionary housing provisions

- Could there be some delineation of the number of units that have been actually approved and their location across the City?
- He would like staff to keep track of where the inclusionary housing is being built.

Commissioner Feldstein:

Re: Inclusionary Housing

The Nonprofit Housing Association of Northern California has recently released a study of inclusionary policies throughout California. It is more up to date than the Sedway Report and it is more inclusive since it has more jurisdictions. It would be helpful if this information could be made available to the Commission.

C. DIRECTOR'S REPORT

8. Director's Announcements

Re: Commissioner William Lee's Comments

Re: Exactions

- In the C-3 Districts (the downtown districts), primarily for office, a number of exactions are collected.
- Open space is \$2.00 per square foot to build a major downtown park and there has been a lot of money collected on this but most of the money went to the improvement of Union Square. There is a \$1.00 per square foot fee for childcare or the project can provide childcare on site. Most projects have paid the fee.
- In a larger area than downtown there is a fee called "TIDF" (Transit Impact Development Fee). This covers East of Van Ness Avenue. This is \$5.00 per square foot.
- There is the inclusionary housing ordinance which was adopted by the Commission and passed by the Board of Supervisors. This depends on what the use is. Office is one fee, Retail/Entertainment, Industrial, and it varies with the different uses. The housing fee is up to \$16.00 per square foot. In the C-3 districts there is also a fee of 1% for art. The Unified School District charges a fee for housing units. This is the only housing fee that is not actually charged by the City or the Department but from the Unified School District which is another department.

Re: Performance Measures for the Planning Department

- He will try to get this information but he does not think there are any cities that are comparable to San Francisco.

Response to Commissioner Antonini's Comments:

- The Housing Element will be heard on October 9. It would be appropriate to have a discussion on affordable housing on this date.

Response to Commissioner Boyd:

Re: Number of units approved under Inclusionary Housing.

- In many cases, projects have not broken ground so the project sponsors have not had to commit yet if they will include the units within the project or do offsite.
- Most projects are doing onsite affordable housing. Few projects are taking advantage of the offsite.

Response to Commissioner Feldstein:

- He will get the Non Profit Association of Northern California report and provide a copy to the Commission.

9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals.
BOS – None

Commissioner Hughes requested information on the outcome of the appeal of :

- 1) 2545 Greenwich Street that was heard on August 6, 2003; and
- 2) 330 25th Avenue which was heard on July 9, 2003.

BOA - None

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: Items 10, 11, 12a, b and c

Henry Kleinhenz – Baycrest Homeowners Association

- He and his neighbors have issues on height, density, shadow and diversity.
- The height is just too large, the towers are too close to one another, and there are just too many units in such a small place.

Andrew Brooks – Baycrest Homeowners Association

- He presented some photo simulations of Folsom and Beale Street.

Jim Chappell - SPUR

- These projects will provide some 1,500 housing units.
- It will provide desperately needed tax revenue fees.
- This project should be approved today.

Reed Bement – Rincon Hill Residents Association

- He lives on Rincon Hill.
- There are a number of new issues for this project.
- A new publication has been issued regarding the Tranbay Redevelopment Project. This document contains extraordinary work and he hopes the Commission will not approve this project until this document has been analyzed.

Howard Meadow – Rincon Hill Tenants Association

- He lives on Beale Street.
- There is a document for Rincon Hill Plan that states that topography should be respected.
- He feels that the Planning Commission's rules were broken. He would like the Commission to not make these mistakes again by approving this project.

Douglas Arthur – Baycrest Homeowners Association

- He lives about one block away from the proposed development.
- The EIR is incomplete and misleading as well as erroneous.
- He suggests that the EIR be updated to include the traffic problems and situations.

Rajiv Bhatia, MD, MPH – Department of Public Health

- He submitted a document, which states that because of the size of this project on an emerging residential neighborhood, a more integrated and holistic approach to the commission's issues, shared by public health and urban planning, need to be analyzed.
- Issues that include: ecological degradation, adequate housing, and urban sprawl. The review examines the project from a public health perspective focusing on three broad concerns: environmental justice and equity, needed residential amenities and infrastructure; and limiting harmful auto emissions and encouraging alternative means of transport.

George Williams

- He is in favor of the project.
- There are still some things that need to be fixed.
- The towers are too close and they could be built farther apart.

Diane Belanger

- She is in favor of developing these lots.
- Any Inclusionary housing should be considered on site.
- These developments were conceived during the dotcom explosion.

John Henry Kouba

- It is important that the Commission considers this project as part of a comprehensive plan and that is where the Rincon Hill Development Plan falls short.

Roger Brandon

- This is the worst proposal on today's agenda.
- Two buildings contain office space that is not needed in the City.
- This is a waste of money.

Rev. Arnold Townsend

- This housing is extremely important and extremely needed.
- This project will create thousands of jobs.
- People should be able to afford their own childcare and be able to pay for housing and stay in the city.

Anthony Rauls

- He supports the project.
- He is a member of Young Community Developer.
- This project will strongly help many communities.

Judy Patterson

- She lives on Townsend Street.
- These projects will have a negative impact on the neighborhood.
- These two developments do not complement the Rincon Hill Plan.

Milan Larkin

- He lives in the Bay View Hunters Point area.
- He supports this project.

Kevin Ratcliff – Iron Workers Union 377

- He has seen the need for more housing and is here to support this project.
- There is a need for union trades people such as himself in the building industry.
- There are many residents who were born and raised in San Francisco and cannot afford to purchase anything.

Paul McMannus – Iron Workers Union 377

- There will be many jobs created with this project.
- He may not be able to afford these units in particular but hopes to afford housing at some point.

(name unclear) – Iron Workers Union 377

- He supports this project.

Amiee Albertson

- She supports these projects because it will help her become a homeowner.
- There are many people who have to leave the City because they cannot afford to live here.

Nancy Ellen

- She lives in the Community.
- She is really happy to own property in the area.
- She is in support of this project.

Jim Salinas – Carpenters Union/San Francisco Building Trades Council

- He is here in support of this project.
- This project will create opportunities for many construction workers.
- He asked people in the audience to stand up in support of the project. *(about 25 people stood up).*

Doug Perry

- He is in support of the project.
- This project will increase the supply of housing.
- It will also provide construction jobs.

Bobby Carter

- She is opposed to this project.
- She is concerned about the violation to the City's waterfront.
- There are a lot of issues in the EIR that many people have pointed out to the Commission in previous meetings.

Joe Howard

- She has issues with the project. She is opposed to the way this project has been brought about as well as with the height of the project. She believes this project is just too large.

Sue Hestor

- The process of rezoning in the Rincon Hill has been going on for five years.
- This project was on the same track as Tranbay and Tranbay is moving.
- She displayed a view of the City from the Bay Bridge explaining how the new high-rises will block the skyline of the City.

Joe O'Donaghue

- He supports this project.
- There are many high-rise building that have marvelous views of the City.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

- 2000.1073E (B. HELBER: (415) 558-5968)
201 FOLSOM STREET - Certification of Final Environmental Impact Report (FEIR) -
 The rezoning of parcels in the Rincon Hill neighborhood (the "rezoning project") and a

residential development of approximately 1,500,000 gross square feet (gsf) at 201 Folsom Street (the "development" project). The property is currently used as a paved parking lot by the United States Postal Service (USPS) Annex and other government agencies for 270 vehicles. The rezoning project includes rezoning part of Lot 1 in Assessor's Block 3746 and Lots 1 and 8 in Assessor's Block 3745 from the existing P (Public) to a zoning district that allows private development. The requested rezoning is from P (Public) with height limits of 150 and 200 feet to RC-4 (Residential-Commercial Combined: High-Density) with a 300- and 400-foot height limit. In addition, a Planning Code text amendment is requested to create a new Residential/Commercial sub-district under the Rincon Hill Special Use District overlay, and amendments to the *Rincon Hill Area Plan*, a part of the *San Francisco General Plan*. The request for rezoning has been made in conjunction with development proposed at 300 Spear Street on Assessor's Block 3745, Lot 1, that would be a part of the rezoned area. The third parcel requested to be rezoned is 345 Main Street, Lot 8 in Assessor's Block 3745, the remaining privately owned lot in the existing P district. The development portion of the project would consist of up to 725 residential units (about 825,000 gsf) and about 38,000 gsf of retail space. It would include about 753 enclosed parking spaces and four loading spaces for the use of the development, and about 272 enclosed replacement parking spaces for the use of the USPS and other government agencies. An 80-foot-tall building base would cover the site. Two residential towers would rise above the building base to total heights of approximately 350 feet and 400 feet above the ground level. The project would require a subdivision of Lot 1 to separate the development site from the Postal Service Annex.

Preliminary Recommendation: Certify the EIR as a Final EIR. Please note that the public review period for the Draft EIR ended at 5 pm, December 2, 2002.

(Continued from Regular Meeting of July 24, 2003)

NOTE: On July 24, 2003, following public testimony, the Commission closed public hearing and passed a motion of Intent to Approve Certification by a vote of +5 -1. Commissioner Sue Lee voted no. Commissioner William Lee was absent. Final Language September 4, 2003.

SPEAKER(S): None

ACTION: EIR Certified

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16642

11. 2000.1090E (B. HELBER: (415) 558-5968)
300 SPEAR STREET - Certification of Final Environmental Impact Report (FEIR) -
 The project includes rezoning of parcels in the Rincon Hill neighborhood (the "rezoning project") and a mixed-use development of approximately 1,560,000 gross square feet (gsf) at 300 Spear Street (the "development project"). The property is currently used as a paved parking lot for 290 vehicles. The property was formerly owned by Caltrans and under lease to Golden Gate Transit for daytime commuter bus layovers. Golden Gate Transit buses were relocated a few blocks away in 2000. The rezoning project includes rezoning Lots 1 and 8 in Assessor's Block 3745, and part of Lot 1 in Assessor's Block 3746 from the existing P (Public) to a zoning district that allows private development. The requested rezoning is from P (Public) with height limits of 105, 150 and 200 feet to RC-4 (Residential-Commercial Combined: High Density) with 300- and 400-foot height limits. In addition, a Planning Code text amendment is requested to create a new Residential/Commercial subdistrict under the Rincon Hill Special Use District overlay, and amendments to the Rincon Hill Area Plan, a part of the *San Francisco General Plan*. The request for rezoning has been made in conjunction with the proposed development at 201 Folsom Street on Assessor's Block 3746, Lot 1, that would be a part of the rezoned area. The third parcel requested to be rezoned is 345 Main Street, Lot 8 in Assessor's Block 3745, the remaining privately owned lot in the existing P district. The development portion of the project would consist of up to 820 residential units, about 36,000 gsf of retail and about 890 underground parking spaces. Two 80-foot-tall building bases would be built to the property lines on Spear, Folsom and Main Streets; the building bases

would surround a landscaped courtyard beginning at the courtyard (third) level. Two residential towers would rise above the building bases to total heights of approximately 350 feet and 400 feet above the ground level, respectively.

Preliminary Recommendation: Certify the EIR as a Final EIR. Please note that the public review period for the Draft EIR ended at 5 pm, December 2, 2002.

(Continued from Regular Meeting of July 24, 2003)

NOTE: On July 24, 2003, following public testimony, the Commission closed the public hearing and passed a motion of Intent to Approve Certification by a vote of +5 -1. Commissioner Sue Lee voted no. Commissioner William Lee was absent. Final Language September 4, 2003.

SPEAKER(S): None

ACTION: EIR Certified

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16643

- 12a. 2000.1326MZZ (M. SNYDER: (415) 558-6891)
300 SPEAR STREET, 160 HARRISON STREET (aka 365 MAIN STREET), AND 201 FOLSOM STREET (aka 314-390 MAIN STREET) - the northern half of the block bounded by Folsom, Spear Street, Harrison Street, and Main Street, Lot 1 in Assessor's Block 3745; the northeast corner of Harrison Street and Main Street, Lot 8 in Assessor's Block 3745; and the northern half of the block bounded by Harrison Street, Beale Street, Folsom Street, and Main Street, the northern half of Lot 1 in Assessor's Block 3746, respectively -- Zoning Reclassification of Property, Planning Code Text Change, and General Plan Amendments sought. The applicants have requested approvals for: (1) the reclassification of these properties from P (Public) to RC-4 (Residential-Commercial Combined, High Density), Districts and the establishment of a "Residential/Commercial Sub-district" within the Rincon Hill Special Use District under Section 249.1 of the Planning Code, pursuant to Section 302 of the Planning Code; (2) the adoption of amendments to the Rincon Hill Area Plan (part of the General Plan) pursuant to Section 340 of the Planning Code; (3) the adoption of modifications to the existing height and bulk limits, including increasing the current height limits from 200-feet, 150-feet and 105 feet to 400 feet for 201 Folsom Street and 300 Spear Street; and from 105 feet to 300 feet for 160 Harrison Street; and (4) the adoption of text change amendments to the Planning Code and General Plan that would change the requirements for density, use, usable open space, parking, parking location, street frontage, site coverage, tower separation and dwelling unit exposure, and other matters at the subject sites.

Preliminary Recommendation: Adopt a Resolution Recommending to the Board of Supervisor's Approval of the Proposed Text, Map and General Plan Changes.

(Continued from Regular Meeting of June 26, 2003)

NOTE: On July 24, 2003, following testimony, the Commission closed public hearing and passed a motion of Intent to Approve on by a vote of +5 -1. Commissioner Sue Lee voted no. Commissioner William Lee was absent. Final Language September 4, 2003.

SPEAKER(S): None

ACTION: Approved with Amendments as Presented by Staff:
 Restore proposed deletion of last sentence of "E.", page 8, lines 21 through 23, which reads: *Parking requirements can be reduced because of the proximity of the area to Downtown and to transit service and the cost savings translated into lower housing costs.*

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

NAYES: Feldstein and S. Lee

RESOLUTION: 16644 (G.P. Amendment)

SPEAKER(S): None

ACTION: Text Amendment Approved with Amendments as Presented by Staff:
Delete phrase, "...and allow residential projects to be financed", from paragraph 21 of the findings (p. 6, lines 23 – 24);

Delete all of paragraph 22 of the findings (p. 7), which currently reads:
The retail parking allowed is somewhat greater than under the existing Rincon Hill Special Use District but is necessary to allow retail uses, such as a grocery store, to be financially viable.; and

Renummer paragraphs 23 through 28 to paragraphs 22 through 27 accordingly.

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

NAYES: Feldstein and S. Lee

RESOLUTION: 16645

SPEAKER(S): None

ACTION: Map Amendments Approved with Amendments as Presented by Staff:
1. Section (8)(D), strike the phrase "within a particular project site"
2. Strike Section (8)(E)
3. Add new Section (9)(E) to read *The floor plates on either tower shall not exceed at average of 11,000 gross square feet over the entire tower.*

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

NAYES: Feldstein and S. Lee

RESOLUTION: 16646

- 12b. 2000.1073C (M. SNYDER: (415) 558-6891)
201 FOLSOM STREET (aka 314-390 MAIN STREET) - the northern half of the block bounded by Folsom Street to the north, Main Street to the east, Harrison Street to the south, and Beale Street to the west, Lot 1 in Assessor's Block 3746 - Request for conditional use authorization pursuant to Planning Code Sections 303 and 253 to allow construction of a building taller than 40 feet in an R (Residential) District. The proposed Project would consist of up to 820 residential units in about 775,000 gross square feet, about 38,000 gross square feet of retail space, and up to 845 off-street parking spaces for the residential and retail uses and up to 272 replacement parking spaces for United States Postal Service. The project would include two towers that would be approximately 400 and 350-feet tall. The project is currently within a P (Public) District and within 200-R and 150-R Height and Bulk Districts. (A Public Hearing for a Planning Code Text, Map and General Plan Amendments for this site will be considered immediately before this hearing).

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of July 24, 2003)

NOTE: On July 24, 2003, following public testimony, the Commission closed public hearing and passed a motion of Intent to Approve on by a vote of +5 -1. Commissioner Sue Lee voted no. Commissioner William Lee was absent. Final Language September 4, 2003.

SPEAKER(S): None

ACTION: Approved as
Add new condition no. 13, page 27, that would read:
In addition to the installation of Sidewalk Amenities on the sidewalks adjoining the Project Site, the Project Sponsor shall also be responsible for the installation of Sidewalk Amenities, including sidewalk widening if part of the approved plan, along the west side of Beale Street, between

Folsom Street and Harrison Street, as well as in front of the USPS building on Harrison Street according to whatever Streetscape Controls are in effect at the point in time when the first addendum to the Site Permit is issued.

Renumber the conditions from 13 to 37 to 14 to 38 accordingly.

For conditions nos. 10, 11, 12 (as numbered prior to addition of new condition), pages 26 and 27, which describe the timing and under what condition the project sponsor would be required to implement sidewalk widening, change the requirement that the project sponsor apply for a Permit to widen the sidewalks from:
prior to or concurrently with the filing of the site permit application
 to
 as soon as the Planning Department determines that the sidewalks in question should be widened.

For Conditions numbered 10, 11, and 12 (as numbered prior to addition of new condition), pages 26 and 27, which describe the timing and under what condition the project sponsor would be required to implement sidewalk widening, change the requirement that the project sponsor implement sidewalk widening from:
prior to the issuance of the final addendum to the site permit
 to
the issuance of the site permit for the project or twelve months from the date of this approval, whichever is later.

Revise Condition of Approval 23, p. 29, to read as follows:

Family Size Units. In order to provide better housing opportunities for families, the project sponsor shall maximize the percentage of two and three bedroom units in the project to the extent commercially reasonable based on the Sponsor's evaluation of the anticipated market demand for such units, with the goal that at least 30% of the units be two or three bedrooms (or larger). In conjunction with submittal of the site permit application, the project sponsor shall advise the Planning Director of the basis for the final unit mix; this information shall be part of the informational presentation to be made to the Commission with regard to final design.

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee
 NAYES: Feldstein and S. Lee
 MOTION: 16647

- 12c. 2000.1090C (M. SNYDER: (415) 558-6891)
300 SPEAR STREET - the northern half of the block bounded by Folsom Street to the north, Spear Street to the east, Harrison Street to the south, and Main Street to the west, Lot 1 in Assessor's Block 3745 - Request for (1) conditional use authorization pursuant to Planning Code Section 303 and 253 to allow construction of a building taller than 40 feet in an R (Residential) District; and (2) an exception under Section 271 of the Planning Code to permit the project to exceed the maximum plan length. The proposed project would consist of up to 820 residential units in about 910,000 gross square feet, about 35,000 gross square feet of retail space, and up to 890 underground parking spaces. The Project would include two residential high-rises with overall heights of approximately 400 and 350 feet; and two lower buildings with an overall height of 85 feet.

The project is currently within a P (Public) District and within 200-R and 105-R Height and Bulk Districts. (A Public Hearing for a Planning Code Text, Map and General Plan Amendments for this site will be considered immediately before this hearing)

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of July 24, 2003)

NOTE: On July 24, 2003, the Commission passed a motion of Intent to Approve on by a vote of +5 -1. Commissioner Sue Lee voted no. Commissioner William Lee was absent. Final Language September 4, 2003.

SPEAKER(S): None

ACTION: Approved as Amended (Pedestrian Access): For each Condition numbered 10 and 11 (pp. 2-3), which describe the timing and under what condition the project sponsor would be required to implement sidewalk widening, change the requirement that the project sponsor apply for a Permit to widen the sidewalks from:
prior to or concurrently with the filing of the site permit application
to
as soon as the Planning Department determines that the sidewalks in question should be widened.

For Conditions numbered 10 and 11 (pp. 2-3), which describe the timing and under what condition the project sponsor would be required to implement sidewalk widening, change the requirement that the project sponsor implement sidewalk widening from:
prior to the issuance of the final addendum to the site permit
to
the issuance of the site permit for the project or twelve months from the date of this approval, whichever is later

For Condition no. 12, change the second sentence to read:
In addition, if the City determines that the sidewalk along the Spear Street side of the Project should not be widened, but by the time of issuance of the Site Permit the relevant City agencies instead approve the widening of the sidewalk on the east side of Spear Street (i.e. Hills Plaza side), or any combination of sidewalk improvements on either side of the street, including sidewalk widening if part of the approved plan, the Sponsor shall be responsible for the installation of the Sidewalk Amenities, if part of the approved plan on the east side of Spear Street opposite block 3745.

Change the description of the retail component of the project under finding no. 4 to read as follows:

Retail. The Project will include approximately 29,000 to 35,000 gsf of retail space, the largest being 30,350 gsf fronting Folsom Street and Main Street, along with either four smaller retail spaces, and/or the inclusion of 5 ground floor units with street level entries that could be used for either pure residential or residential/commercial purposes.

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee
NAYES: Feldstein and S. Lee
MOTION: 16648

13. 2003.0207C (R. CRAWFORD: (415) 558-6358)
1509 TARAVAL STREET - between 25th and 26th Avenues, Assessor's Block 2400 Lot 043 - Request under Planning Code Section 161.(j) for Conditional Use Approval for a

reduction of three off-street parking spaces required for dwellings for a Project with ground floor commercial and three dwelling units. This project lies within an NC-2 Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions.

NOTE: On July 10, 2003, the Commission closed the public hearing and passed a motion of intent to disapprove by a vote of +5-2 (Commissioners Bradford Bell and Feldstein voted No). Final Language scheduled for July 24, 2003. On July 24, 2003, this item was continued to August 21, 2003.

On August 21, 2003, the Commission took two actions: 1) a motion of intent to disapprove by a vote of +2-2; Commissioners Bradford Bell and Boyd voted No, the motion failed; and 2) a motion to continue the matter to September 4, 2003 by a vote of +4-0. Commissioners Feldstein, Hughes and Sue Lee were absent.

SPEAKER(S): None

ACTION: Disapproved

AYES: Antonini, Hughes, S. Lee, W. Lee

NAYES: Bradford Bell, Boyd and Feldstein

MOTION: 16649

F. REGULAR CALENDAR

14. (L. AVERY: (415) 558-6407)
RECORD RETENTION POLICY – Pursuant to Chapter 8 of the San Francisco Administrative Code, the Planning Commission is requested to consider for adoption the proposed Records Retention Policies and Schedules.

SPEAKER(S): None

ACTION: Without hearing, item continued to September 18, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

15. 2002.0207C (R. CRAWFORD: (415) 558-6358)
5894 - 5898 MISSION STREET - at Huron Street and Sickles Avenue, Assessor's Block 7143 Lot 033 - Request for Conditional Use Authorization under, Planning Code Section 178(c) for enlargement of a gas station with a convenience store open 24 hours a day; and Planning Code Section 229(b) to allow beer and wine sales at a gas station in an NC-2 (Small Scale Neighborhood Commercial District) and a 40-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions to not allow beer and wine sales among other things.

NOTE: On May 22, 2003, following public testimony the Commission closed the public hearing and continued this matter to June 26, 2003 with instructions to the project sponsor to: 1) go back and look at the site plans more closely regarding the placement of store on the lot; 2) start construction within three years or the conditional use will expire; 3) no 24 hour use; 4) no alcohol sales; 5) project sponsor to work with community. One June 26, 2003 this matter was continued to August 28, 2003. One August 28, 2003 this matter was continued to September 4, 2003. The public hearing is open only if new information is presented for Commission consideration.

SPEAKER(S):

(+) Craig Yamasaki – Project Sponsor

- He went to the association meetings.

- He added various new amenities to the project after really listening to the neighbors.

- He is not very happy with many of the things that went on previously with this project.

(+) Steve Currier – Outer Mission Residents Association

- The association has done a very good job in coming to an agreement with the project sponsor of this project.

- There is a letter which states the agreement with the Police Department regarding the non sale of beer and wine and the 24-hour operation of the pumps.

(+) K.T. Wickerham – ARCO VP

- He is happy that they were able to work so close with the homeowners and is satisfied with coming to an agreement with the issues they had.

- This project will have half the normal size of the regular stores in their gas stations.

- There are also two other applications for beer and wine that they have withdrawn from their other gas stations.

(+) Raymond Rivera

- They have come to a compromise and now approve the project. They have worked very hard, but it has been worthwhile.

(+) Alex Morillo

- He did work on a lot of issues and there was a lot of "arm twisting" but they did come to an agreement.

- He hopes that the project sponsor sticks to what they said.

ACTION: Approved as Amended:

1. Prior to the issuance of the Building Permit for the Project the Zoning Administrator shall approve and order the recordation of a notice in the Official Records of the Recorder of the City and County of San Francisco for the premises (Assessor's Block 7143, Lot 033), which notice shall state that construction has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied.
2. Trash and recycling receptacles shall be stored inside a fully enclosed building except they may be placed outside of such building for pick up and removal of the trash or recyclable materials.
3. No sales of alcoholic beverages, including beer and wine, shall be permitted form the property.
4. The Project site and the improvements and landscaping thereon shall be maintained in a neat and attractive manner.
5. The property owner shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at a minimum, daily litter pickup and disposal, and washing or steam cleaning of the main entrance and abutting sidewalks at least once each week.
6. Lighting for the Project shall be directed down onto the property and designed so that lighting from the property shall not effect residential dwellings in the area, nor unduly light the night sky.
7. A final landscaping plan for the Project shall be submitted and approved by the Planning Department.
8. Required street trees shall be included along all street frontages and shall be indicated on the landscaping plan for the Project.
9. The station operator shall regularly police the property to prevent loitering, littering, debris build up, graffiti, alcohol consumption and drug use, and shall install recycling and waste receptacles by the Project building for use by Project patrons.
10. Windows and doors shall be kept a minimum of 75% clear of advertisement and other materials so a passing Police Officer can see inside without obstruction.
11. The Project will comply with all mitigation Measures recommended in the Mitigated Negative Declaration.

12. If there is a lapse of this use for a period of three or more years, this authorization shall become null and void and the use of the Project site shall revert to a use that is principally permitted in the NC-2, Small Scale Neighborhood Commercial, district.
 13. The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to neighbors related to the operation of this Project. The name and telephone number of the community liaison officer shall be reported to the Zoning Administrator for reference.
 14. The hours of operation of the Project shall be limited as follows:
 - a. Motor fuel sales may be conducted on a 24 hour basis,
 - b. The convenience store may be open to the public between 6 a.m. and midnight,
 - c. Between the hours of midnight and 6 a.m. sales of convenience store goods and payment for motor fuels may only be by means of a pass through window. Only employees of the station operator shall be allowed in the building between midnight and 6 a.m.
 15. The convenience store building shall be setback 7 feet from Huron Street and the setback area shall be heavily landscaping including plant materials on trellises at the rear of the building to screen the building from neighbors across Huron Street.
 16. The canopy over the pump islands shall not exceed a height of 17 feet 3 inches.
- AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
 MOTION: 16650

16. 2002.0913C (G. NELSON: (415) 558-6257)
2001 UNION STREET - southwest corner at the intersection of Union and Buchanan Streets; Lot 024 in Assessor's Block 0541 - Request for Conditional Use authorization pursuant to Section 725.83, of the Planning Code to install six (6) cellular antennas and five (5) related equipment cabinets on the roof of the Union Street Plaza Building, as part of Sprint PCS' telecommunications network within the Union Street Neighborhood Commercial District and a 40-X Height and Bulk District. The proposed antennas would be flush mounted to an existing rooftop penthouse, and the related equipment would be housed in a new mechanical penthouse that would be partially visible from the street below. The site is considered a Preference 2 under the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines, as it is a "co-location" site. However, due to a prior Planning Commission action and approved Motion No. 16084 for case no 2000.0385C the site had been deemed a Preference 6. The Planning Commission will consider under which Preference (2 or 6) to review the application. Sprint has also modified the location of the proposed rooftop mechanical penthouse from their original proposal.
 Preliminary Recommendation: Approval with Conditions
 (Continued from regular meeting of August 28, 2003)

SPEAKER(S):

(+) Jennifer Estes – Project Sponsor – Representing Sprint

- This application complies with the WTS Facilities Siting Guidelines and the San Francisco Municipal Code.
- The antennas will operate below 1,000 times the FCC Radio Frequency Emissions Standards.

- They first located a preference 6 location across the street. This application was withdrawn and now this location is a preference 2.
- Sprint contends that this is the best candidate in this area.
- This site is needed by Sprint.
- The equipment will not block views to the residents.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16652

17. 2002.1021C (G. CABREROS: (415) 558-6169)
2525 CALIFORNIA STREET - south side, between Steiner and Pierce Streets, Lot 032 in Assessor's Block 0655 - Request for Conditional Use Authorization under Planning Code Section 718.11 for a development with a lot size exceeding 5,000 square feet in area. The proposal is to demolish the existing one-story commercial building and construct a four-story building with up to 16 dwelling units on the three upper stories, up to 4,999-square feet of retail space (Other Retail Sales and Services per Planning Code Section 790.102) on the ground floor, and up to 24 parking spaces in a basement garage, within the Upper Fillmore Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of August 28, 2003)

SPEAKER(S):

(+) **Bruce Bowman – Presenting Project Sponsor**

- This is a code complying project.
- The reason this is before the Commission is because of the size of the lot.
- The new construction will have parking, residential units, and retail.
- He displayed a rendering of the façade of the project. The design will meet the style of the adjacent buildings.
- This building has less height than the adjacent building.
- The project sponsor has had meetings with the neighborhood associations.

(+) **Tom McDonough**

- This is a very beautifully designed building.
- This project will allow family units. It is a very good project.

ACTION: Approved with Amendments:

- 1) land use section in the conditions of approval should state that there will be a 16 unit building;
- 2) three years instead of two years;
- 3) property line windows shall not impede development of adjacent lot.
- 4) site shall provide one parking space for car share

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16653

Item 18 was taken out of order and followed item 15.

18. 2003.0278C (M. SMITH: (415) 558-6322)
5810 MISSION STREET - north side of the street between Lawrence and Sickles Avenues, Lots 039, 042, and 049 in Assessor's Block 7143 - Request for Conditional Use Authorization pursuant to Planning Code Sections 303 and 304 to allow the amendment

of Motion No. 13347 to amend the Planned Unit Development authorization to allow for the conversion of three Below Market Rate (BMR) rental apartments into three (BMR) dwelling units for sale for owner occupancy. The conversion would affect units #202, #205, and #303 in the building, located in a NC-2 (Small-Scale Neighborhood Commercial District) and 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular meeting of August 21, 2003)

SPEAKER(S):

(+) Alice Barkley – Representing Project Sponsor

- This building is not technically a condo conversion.
- The project sponsor has sold all of the units to first time homebuyers.
- These builders are not making a tremendous profit on this project because the units are affordable.
- There are many people in this City who need these type of units.

(+) Joe LaTorre – Mayor's Office of Housing

- He concurs with the presentation provided by staff.

(+) Tom McDonough

- This is an incredible deal and he hopes that the Commission will approve this project.

ACTION: Approved as Amended: Affordability restrictions shall commence upon the close of escrow for each affected unit.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16651

19. 2002.0896C (B. FU: (415) 558-6613)
 436 CLEMENTINA STREET - north side, between 5th and 6th Streets, Lot 062 in Assessor's Block 3732 - Request for Conditional Use (CU) authorization under Planning Code Section 263.11 to allow Special Height Exceptions within the South of Market Residential Service District (RSD) with a 40-X/85-B Height and Bulk Designation. The original proposal was to demolish the existing one-story, 5,000 square-foot warehouse and to construct 28 residential units over a ground floor commercial space and ten off-street parking spaces within a new 75-foot high, eight-story structure. The new proposal still would demolish the existing one-story, 5,000 square-foot warehouse but would construct 23 residential units over a ground floor commercial space, and nine off-street parking spaces within a new 66-foot high, seven-story structure.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of July 10, 2003)
NOTE: Although a public hearing was held on February 13, 2003, public comment remains open.

SPEAKER(S):

(+) Alice Barkley – Representing Project Sponsor

- The massing of the building has been reduced.
- This site is appropriate for a transit first site.
- This project has been designed taking into consideration all of the City's policies.
- This project is in compliance with the South of Market Plan.
- The project sponsor and architect have tried to address the concerns the Commission expressed in February.

-

(+) Pablo D. Tisker

- As supply and demand goes, it is important to provide housing.
- He is in favor of the project.

(+) John Hentz – Mission National Bank

- He is in support of this project.

- The developer is responsible and has met all the requirements from the Planning Department.
- This project will provide much needed housing.
- (+) **Candice Macario**
 - She recently graduated from college and it is difficult for her to find housing.
 - She is in support of the project because it will provide an opportunity for people like herself to have housing.
- (+) **Theresa Sedell**
 - She is in support of this project because it is an appropriate site for this type of project.
- (-) **John Elberling**
 - He has been working with the Planning Department for many years on projects in the South of Market area.
 - This is the wrong project, in the wrong time, in the wrong place.
 - Alleyways cannot be turned over to 7 or more story buildings.
 - How the Commission will decide on this project will be a very important precedent.
- (-) **Laura Weil – Tehama Street Neighborhood Association**
 - There have been numerous meetings with the project sponsor.
 - Yet this project is terrible for this site. It will take away all of her sunlight.
 - Everyone who is opposed to this project lives on that street.
 - She submitted a petition with over 100 signatures of people who are opposed to this project.
 - She displayed photographs of Clementina Street and how cars often block traffic.
 - This project is out of scale for this neighborhood
- (-) **David Bushnell – Four-Fifty Clementina**
 - He is opposed to this project.
 - The neighborhood and surrounding South of Market areas are composed primarily of 20 to 40 foot high residential, commercial, mixed use and loft buildings. This project will exceed this height.
 - Small-scale neighborhoods contribute to the identity of SOMA and should be enhanced to make better neighborhoods, not destroyed by inappropriately scaled developments.
 - This project is a real disaster and it should be turned down.
- (-) **Brian Wallace**
 - He lives in this neighborhood and it is a great neighborhood.
 - He is opposed to this project because the scale of the project is too large.
 - This is a very tiny and narrow street and this project does not belong there.
- (-) **David Klein**
 - He lives in Daly City.
 - He is concerned about the property values in the area where the project is being proposed.
 - This project will block the light and views of the adjacent buildings.
 - He read a letter from a resident of the area who is opposed to the project.
- (-) **Jason Born – SOMA West Interactive Neighborhood Group**
 - He is opposed to this project.
 - He is disappointed that the developers did not sufficiently respond to community-based input.
 - This project fell short of being successful because it failed to connect with the Folsom Street corridors' concerns and long-term goals.
- (-) **David Wallace**
 - He is opposed to this project.
 - He submitted a letter from a member of the public who is opposed to this project.
 - Clementina is not a very wide street so this project will cause a lot of problems.
- (+) **Leonard Lee**
 - He lives in San Francisco and hopes to one day own property.
 - He is in favor of any project that will provide housing.
 - He urges the Commission to approve this project.
- (+) **Robin Hager**

- He has seen this City go from affordable to not affordable.
- He is in favor of the project.
- He likes the design as well.

(+) Bonnie Higgins

- She likes the idea of the building.
- This project will provide housing and that is always a plus.

(+) Raul Araiza – Project Sponsor

- A previous speaker read a letter from a member of the public who supposedly is against this project but the letter did not state the entire truth.
- There were more speakers here to talk about the project but they had to leave because of the earthquake.

ACTION: Approved as Amended: 1) Eliminate the top floor. The affordable units and off-street parking will be reduced accordingly; 2) unbundled the parking; and 3) don't limit the parking to market rate units.

AYES: Antonini, Bradford Bell, Boyd, Hughes, W. Lee

NAYES: Feldstein and S. Lee

MOTION: 16654

20. 2003.0727C (K. McGEE: (415) 558-6367)
498 - 6TH STREET - south side between Bryant and Harrison Streets; Lot 11, in Assessor's Block 3759 - Request for Conditional Use authorization to establish an assembly and social service use (San Francisco Police Officers Association) in an SLI (Service/Light Industrial) Zoning District, in a 50-X Height and Bulk District, and in the Industrial Protection Zone, per Planning Code Section 817.21 and 890.50(a).
 Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) David Silverman – Representing Project Sponsor

- This type of use will be very desirable for this building.
- The primary use will be for a meeting hall.
- The project site is ideal for its intended use because of its close proximity to the Hall of Justice.
- He urges the Commission to approve the application.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16655

21. 2003.0796C (M. LI: (415) 558-6396)
1501-1503 GRANT AVENUE (A.K.A. 500-510 UNION STREET), northwest corner at Union Street, Lot 007 in Assessor's Block 0103 – Request for conditional use authorization to establish a full-service restaurant (dba El Raigon) exceeding 2,000 square feet but less than 4,000 square feet in a vacant commercial space. There will be no physical expansion of the existing building. The site is located within the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Will Harris – Project Sponsor

- He has received approval from the Hispanic Chamber of Commerce as well as the San Francisco Chamber of Commerce.
- This will be an Argentinean restaurant.

ACTION: Approved as amended: The Project Sponsor shall appoint a Community Liaison to address issues and matters of concern to nearby residents or

commercial lessees. This liaison or designated representative shall be available at the establishment at all times during business hours. The Project Sponsor shall report the name and telephone number of this liaison to the Zoning Administrator for reference.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
MOTION: 16656

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Kirk Scott

Re: Discretionary Reviews

- He is not a developer but he has been stuck in the Discretionary Review process as well as the Board of Permit Appeals process for two years trying to get a building permit.
- It is a very simple project. The previous Planning Commission modified the project but the neighbors were not satisfied with that result and they brought him before the current Planning Commission and now to the Board of Permit Appeals.
- Any kind of delay costs thousands of dollars. This has been very disruptive to his family.
- He had made all sorts of plans but has not been able to see them through.
- It is getting to the point that he will have to accept the changes his neighbors want.
- He feels that he has been put on trial three times for a simple building permit.
- He wanted to expose these comments and concerns to the Commission before discussing Discretionary Review reforms next week.

Adjournment: 8:56 p.m. *in memory of Robert McDonald.*

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, SEPTEMBER 25, 2003.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

5
0
103

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, September 11, 2003**

1:30 PM

Regular Meeting

DOCUMENTS DEPT

OCT - 9 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Kevin Hughes,
Sue Lee, William L. Lee

COMMISSIONERS ABSENT: Lisa Feldstein

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Larry Badiner - Acting Director; Jim Nixon - Acting Zoning Administrator;
Elaine Warren - Deputy City Attorney; Ben Helber; Matt Snyder; Rick Crawford; Geoffrey Nelson; Glenn
Cabreros; Michael Smith; Ben Fu; Kate McGee; Michael Lee; Paul Maltzer; Joan Kugler; Linda Avery -
Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0277C (A. LIGHT: (415) 558-6254)
150 GOLDEN GATE AVENUE - north side between Jones and Leavenworth Streets, in Assessor's Block 344, Lot 4. Request for a Conditional Use authorization to construct a building exceeding 40 feet in height in an R (Residential) District, to determine an appropriate setback at the top portion of the front of the façade of the proposed building, and to allow an Institutional Use in an RC (Residential Commercial Combined) District. The subject property is zoned RC-4 (Residential-Commercial, Combined, High Density) District, is in the North of Market Special Use District, and is in an 80-120-T Height and Bulk District. The proposal is to demolish an existing four-story, approximately 88-foot high vacant building originally used as a lodge building for the Knights of Columbus, and most recently as office space. The existing building would be replaced with a new five-story, approximately 78'-0" high building that would house administrative and some on-site service functions of the St. Anthony Foundation which provides a variety of services to homeless and other disadvantaged individuals. The proposed facility at 150 Golden Gate would function as part of a larger campus of St. Anthony's and would specifically provide space for administrative offices, counseling, health and job training services, and,

temporarily, some dining services, until a new dining and residential structure could be constructed across the street.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of July 17, 2003)

NOTE: On May 1, 2003, following public testimony, the Commission closed public hearing and continued this item to July 17, 2003 allowing project sponsor to continue to work with the community by a vote of +7 -0. (Proposed for Continuance to September 18, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to September 18, 2003.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

2. 2002.1105C (T. TAM: (415) 558-6325)
4039 18TH STREET - south side, between Hartford and Noe Streets, Lot 81 in Assessor's Block 3583 - Request for a Conditional Use Authorization pursuant to Planning Code Sections 186, 715, and 151, to allow (1) conversion of an existing nonconforming large fast-food restaurant (Hot n' Hunky's) to a full-service restaurant, (2) demolition of an existing two-bedroom unit on the second floor, and (3) addition of one new dwelling unit without providing any off-street parking. The property is in the Castro Street Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of August 28, 2003)
NOTE: On August 28, 2003, following public testimony, the Commission closed the public hearing and entertained a motion of intent to approve the restaurant conversion, but not the residential conversion by a vote +4 -1. Commissioner William Lee voted no. Commissioners Feldstein and Sue Lee were absent. Final language September 11, 2003.
(Proposed for Continuance to September 18, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to September 18, 2003

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

3. 2003.0844D (G. CABREROS: (415) 558-6169)
309-311 - 2ND AVENUE - west side between Geary Boulevard and Clement Street, Lot 002 in Assessor's Block 1434 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2001.01.08.9361 proposing to demolish a three-story with attic, two-unit building in an RM-1 (Residential, Mixed, Low Density) District with a 40-X Height and Bulk District. Construction of a four-story, three-unit building and three parking spaces is also proposed under a separate permit.
Preliminary Recommendation: Do not take Discretionary Review and approve demolition.
DISCRETIONARY REVIEW WITHDRAWN BY DEPARTMENT STAFF

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn

B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption – Draft Minutes of 6/12; 6/19, 7/24 (continued from 9/4/03), 2003.

Minutes of June 12, 2003 and June 19, 2003:

SPEAKER(S): None

ACTION: Without hearing, minutes continued to September 18 because of a lack of quorum of Commissioners present on those dates to take action.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

Minutes of July 24, 2003:

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

EXCUSED: Bradford Bell

5. Commission Comments/Questions

Commissioner Bill Lee:

Re: Housing Element

- SPUR produced a report this month that contains numbers from ABAG for projections to 2030 regarding the number of households there will be in that year.
- He would like to have these numbers added to the Housing Element.

Re: Housing Units

- He would like to know how many new units of housing have been approved since this Commission has been in office. This would be separate of the DR process.

Re: Workplan

- Last night he had a chance to review the Planning Department's Base Line Budget.
- He is deeply concerned about this year and next year's budget.
- Apparently there is about \$2.3 million of a one time infusion from the Department of Building Inspection.
- Of this amount, 2.1 million goes to the staff and the rest goes to reports.
- The fee structure has not been approved by the Board of Supervisors.
- The Department was supposed to increase the fees so there is already a short term problem at this time.
- The Department needs to let the Commission know what the options are.

Commissioner Hughes:

Re: Transit First Policy

- He took a look at the Transit First Policy.
- He requested a brief discussion on this as it relates to the General Plan and planning at some point in the future.

Commissioner Antonini:

Re: 5810 San Jose Avenue

- Last week this project was approved. It dealt with the sale of four affordable units.
- The other units in that project sold at around \$190,000 or less. It was quite disturbing that units are being sold in the open market at this amount.
- He requested some kind of statistics on sale prices of new housing in San Francisco for the last two years as opposed to all housing.

Commissioner Sue Lee:

Re: Rincon Hill

- She requested that copies of the Transbay Design for Development document be transmitted for members of the Commission so that they can be kept abreast of what is being proposed for Transbay.
- She requested a very brief status report on the efforts of the Department in completing the Rincon Hill Plan.
- Member of the Commission should be kept aware as well as members of the public.

Commissioner Bradford Bell:

Re: audit

- She instructed staff to schedule a status hearing on the audit in November.

Commissioner Bill Lee:

Re: Item 9 – Discretionary Review Policy

- Is there a way to use community boards during the pre-application process?

C. DIRECTOR'S REPORT**6. Director's Announcements****Acting Director Larry Badiner's Report:**

Re: Trip to New York

- He will be gone for a few days next week. He will be available by phone and fax.

Re: Commissioner Lee's Request Regarding Budget:

- The Department is concerned about the fee ordinance and is working closely with the Controller and the Mayor's Office. He will be able to respond to questions regarding this issue at the hearing of September 25, 2003.

Re: Rincon Hill

- He has reviewed the latest draft on this and it was sent to Gerald Green via Federal Express yesterday. Once his comments and Director Green's comments are incorporated, the document will be released.

Re: Transit First Policy

- A discussion on this as it relates to the General Plan will be scheduled in the near future. A lot of the housing requests made by the Commission will be in the Housing Element Report. This report will be issued on September 18, 2003. There will be some follow-up memos which will probably come out on September 25, 2003. The hearing on the Housing Element will be held on October 9, 2003.

Craig Nikitas of Staff gave a Review of Interim Policy on Mandatory Discretionary Reviews of Residential Demolitions.**7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None****BOA – None****D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 527 23rd Avenue

April Ford

- She thanked staff of the Planning Department for working with her and her neighbors on this project.

- She has modification issues including: incorrect measurements on the plans, the light well location on the north side of the project is off place, and a third parking space should be noted on the plans.

- There are a significant amount of windows and she requested that these windows face in instead of towards her property.

- The exit stair should be looked at more closely.

Jeremy Paul – Representing Project Sponsor

- He admits that there are discrepancies in the plans.

- The intentions of the project sponsor are to deal with all the issues. The light well will be installed.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

8. 2002.1268D (G. NELSON: (415) 558-6257)
527 23RD AVENUE - west side between Anza and Balboa Streets; Lot 007 in Assessor's Block 1566 - Request for Discretionary Review of Building Permit Application No. 2002.09.05.5649, proposing to construct a two-story horizontal addition at the rear of the single-family dwelling, a new third floor and a partial fourth floor in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposal would create a second dwelling unit and a second off-street parking space.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of July 10, 2003)

NOTE: On July 31, 2003, following public testimony, the Commission closed the public hearing and passed a motion of intent to take Discretionary Review and approve as modified by a vote of +6 -0. Commissioner Bradford-Bell was absent. Final action to consider modifications scheduled for August 21, 2003.

SPEAKER(S): None

ACTION: Took Discretionary Review and Approved the Project with the following modifications since the Commission determined that more accurate plan information was required and several modifications to the proposed alteration of a single-family dwelling were appropriate. Accordingly, the Commission took Discretionary Review and instructed staff to approve Building Permit Application No. 2002.09.05.5649 with modifications to achieve the following: (all modifications reference drawing set R3, presented to the Commission at the public hearing).

- A site survey by an independent licensed engineer shall be conducted on the subject property, including elevation references for the two adjacent properties. All existing structural and landscape features of the subject and adjacent properties shall be referenced in this site survey. Adjacent properties are to be measured to the greatest degree of accuracy possible, depending on available access to those properties. All project features on all drawing sheets are to be rectified against this site survey, specifically the location of light wells on the subject and neighboring properties, and the overall depth of said properties.

- The plans shall indicate the parking arrangement of 3 parking spaces in the garage. Two spaces shall be 'tandem' and one space shall be independently accessible.
- The wetbar shown on the fourth floor plans shall be removed.
- The north side windows on the rearmost bedrooms located on the second and third floors shall be changed from 5'-0"X6'-8" to 5'-0"X5'-0".

AYES: Antonini, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

RECUSED: Bradford Bell (She had not been given the material from the last hearing to review.)

F. REGULAR CALENDAR

9. (J. IONIN: (415) 558-6309)

DISCRETIONARY REVIEW POLICY – INFORMATIONAL PRESENTATION ON PROPOSALS TO SIMPLIFY AND EXPEDITE THE REVIEW OF DISCRETIONARY REVIEW CASES.

SPEAKER(S):

Daniela Kirshenbaum – Pacific Heights Residents Association/Neighborhood Network

- Everyone is asking for a smooth, well functioning and well operating City Planning Department/Commission. She understands their concerns.
- The situation has come to a point that home owners have to see which planners have good tempers and which ones are ill tempered.
- Many people have real concerns about neighborhood character.
- She realizes that this policy will be looked at closely. She is available as well as other neighborhood representatives to help in this process of problem solving.

Terry Milne – Bernal Heights Design Review Board

- Neighborhoods need to be able to have hearings about development plans.
- The design review boards work to help homeowners not have to come to Discretionary Review hearings.
- The restrictions on DR's are going to be counter productive since staff has not taken into consideration several points that would require technical education and corrections.
- Only Commission action can direct staff to get more information.
- Without Commission action there is no other way to get satisfactory conditions on the project about infrastructure elements.

Kendall Goh

- When there is a conflict between the developer and the neighbors, the Commission becomes a neutral arbitrator of the case.
- One problem with having community boards, is enforcement. Community boards do not seek to enforce what was decided upon.
- The system must allow the public to raise complaints to a neutral arbitrator. There has to be a system to allow the balance of power.

Ron Miguel – President of the Planning Association of the Richmond District

- Sometimes neighborhood associations act as design review boards and sometimes as administrative screening boards.
- The idea of revisiting design review has been on everyone's mind for quite some time.
- Clarity and consistency are key words on this issue.
- It is fact that one can get different opinions on the same project from different planners.

Kirk Scott

- He commended the Commission for taking up this issue.

- The Planning Department has already been very responsive in looking at some of the ideas that have been out there in reforming the DR process.
- The single most important thing to change the process would be engaging early on in the pre-application review meeting. A quick yes or a quick no is better than a maybe.
- The very specific process of DR's should be limited to cases that have significant neighborhood impact.

Marilou Lascari

- She really appreciates the part of this DR report that talks about the pre-application process.
- The quality of life was worth the amount of money they paid during a DR process a few years ago.
- She questions the suggestion of charging for time and materials.
- There are plenty of people who would volunteer to become a Discretionary Review board.

John Carney

- He has filed four DR's over the years.
- He feels that this is a delaying tactic. The process should only take 30 to 40 days.
- This would allow time to get cases processed rather quickly.
- The Planning staff does not travel to sites to see the neighborhood and be able to determine if a house will become a monster house.
- Staff has written letters opposed to things that are in 311 notices and the public has to write a DR to support staff.
- The dimensions that are on drawings are not always correct
- The process should be made as fast as possible.

Pat Buscovich

- DR's are important to him.
- The current system does not work.
- There has to be some accountability.

Hiroshi Fukuda

- DR's are very important.
- DR's are the only means in which residents can protest a project that is within code that is a detriment to the neighbors.
- The affects of DR's are lifetime consequences to citizens.

Jeremy Paul

- The computation of cost does not take into account one really important cost--moral and the mileage that these cases puts on the staff.
- DR cases wares staff down as much as DR cases wares Commissioners down.
- These cases do not need to take up so much time.

Alice Barkley

- She endorses the staff recommendation on this issue.
- The pre-application process is not a new one. This was required several years ago. The problem with not doing the pre-application is that staff does not give the complete information to the applicants. The initial consultations should be taken back as it was in the past.
- Staff recommendation should be based on the volume increase in projects.

Marilyn Amini

- The Department is very biased pro developer, pro special interest groups, and pro density.
- The Department is required to comply with prescribed standards.
- Planning review and determination is also very biased.

Rom Morgan – Bernal Heights Neighborhood Center

- He advised the Department that the DR process is a very unique tool and if taken away it would devastate the Department.

ACTION: Public Hearing Closed for Today.
 Item will be rescheduled on October 9, 2003

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee
ABSENT: Feldstein

10. 2003.0389D (T. WANG: (415) 558-6335)
111 LOBOS STREET - south side between Capitol and Plymouth Avenues; Lot 047 in Assessor's Block 7104 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2002.07.15.1446, proposing to demolish an existing two-story, single-family dwelling. The project also proposes to subdivide the existing lot into two separate lots and construct a new two-story, single-family dwelling on each of the two lots in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve demolition.
(Continued from Regular Meeting of July 31, 2003)

SPEAKER(S):

(+) Rose Lew – Representing Project Sponsor

- She apologized for the request to continue.
- Even though the procedural aspect of this project is wrong because the owner has not obtained a third party to evaluate the conditions, the content of the evaluation is correct.
- The structural speculations show that the building is structurally poor and potentially dangerous. It is in need of plumbing, heating and it has no insulation.
- The electrical system is not up to current code.
- The plumbing is steel and can produce leaks at any point.
- A new roof is needed because it has many layers already.
- The building has no lateral system so there is a possibility of collapsing.
- The new construction would give the neighborhood a better appearance and would provide more housing.
- Parking will not be a problem because both units will have a garage.

ACTION: Took Discretionary Review and disapproved the project.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

11. 2003.0383D (D. SIROIS: (415) 558-6313)
718 CHURCH STREET - West side of Church between 19th Street and Cumberland, Lots 001C, in Assessor's Block 3600 - Mandatory Discretionary review, under the Planning Commission policy for dwelling unit mergers, of Building Permit Application 2003.03.06.9036 to merge two dwelling units in a 7 unit building. The subject property is located in an RM-1 (Residential, Mixed, Low density) District in a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the dwelling unit merger.

SPEAKER(S):

(+) Alice Barkley

- The proposed merger will make a 1,200 square foot, two-bedroom unit for a family of three.
- This building sustained severe fire, smoke and water damage from the adjacent building.
- The project sponsor has put their previous residence for sale and will move into the proposed unit.
- This building was Ellis Acted. The timing of the Ellis Act and the fire was about one day apart.
- Regardless of the Ellis Act, the building was damaged later and made uninhabitable.
- All of the tenants are suing the insurance company because of the damage caused.

- About two or three tenants were in the process of purchasing units but then the fire came.

(+) Peter Keane – Dean of Golden Gate University School of Law

- This is an attempt to have a living arrangement in San Francisco that is satisfactory to their needs.

- The fire created a great deal of problems for the tenants.

- The project satisfies most of the requirements for a merger.

(+) Lawrence Abeln – Project Sponsor

- The intent of he and his partner is to have this owner occupied.

- The fire occurred because the next door neighbor fell asleep while keeping a candle lit.

- He provided between \$10,000 and \$36,000 to each and every tenant for relocation.

- There have been significant building code upgrades done to the building.

ACTION: Did not take Discretionary Review and approved the merger

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

12. 2003.0662D (D. SIROIS: (415) 558-6313)

149 HAMERTON AVENUE - south side of Hamerton, between Bosworth St & Mangles - Mandatory Discretionary Review of demolition application 2003.04.04.1497, pursuant to the Planning Commission's interim policy requiring review of residential demolitions, to demolish a single-family dwelling. The project also includes the construction of a new single-family dwelling under a separate permit. The subject property is located in an RH-1 (Residential, House, One Family) District, in a 40-X Height & Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

Ray Banday – Project Architect

- He is available for questions.

ACTION: Did not take Discretionary Review and approved the demolition

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

13. 2003.0190D (G. CABREROS: (415) 558-6169)

442 – 20TH AVENUE - east side between Geary Boulevard and Anza Street, Lot 034 in Assessor's Block 1525 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 9917935 proposing to demolish a two-story single-family residence, in an RM-1 (Residential, Mixed, Low Density) District and a 40-x Height and Bulk District. The project also proposes the construction of a new four-story, three-family dwelling on the site.

Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit Application.

SPEAKER(S):

(+) Rev. Arnold Townsend

- He is assisting the owner who is a good friend of his.

- There was a soundness report that was submitted to the Department of Building Inspection and this report was forwarded to the Planning Department.

- The project sponsor has been waiting for about three years for this project to be approved and this is just too much time since the soundness report gave clearance for demolition.

- The present tenants do not have a problem with this demolition.

- All the buildings on the block are family sized dwelling units except for the subject property.
- He hopes that the Commission will approve this demolition.

ACTION: Did not take Discretionary Review and approved the demolition
AYES: Antonini, Boyd, Hughes, W. Lee
NAYES: S. Lee
ABSENT: Bradford Bell and Feldstein

14. 2003.0636D (T. TAM: (415) 558-6325)
28 SYLVAN DRIVE - east side between Sloat Boulevard and Ocean Avenue, Lot 042 in Assessor's Block 7250 - Request for Discretionary Review of Building Permit Application No. 2002.12.02.3530, proposing to construct a partial third story vertical addition to the existing two-story, single-family dwelling located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take DR and approve the building permit with modifications.
NOTE: Previously scheduled for July 10, 2003.

SPEAKER(S):

(-) Rich Gunn – Discretionary Review Requestor

- Every house going from east to west is lower.
- When the houses were designed many years ago, the character was respected.
- There are two-story family dwellings in the neighborhood.
- He asked to preserve the character of the neighborhood and the two-story dwellings that are already there from corner to corner; also to maximize the space inside the building before adding a third story.

(-) Raymond Gee

- He does not want the neighborhood look and feel to be taken away because of this project.
- He is in support to the revision plans from the Planning Department.

(-) Jerome Ng

- He has lived in the neighborhood for 22 years.
- The vast majority of the homes have been maintained two stories.
- His questions is: what is the purpose of the expansion? The answer was that the extension would be a library which is something he can appreciate yet the plans show two bedrooms and a bathroom.
- He urges the Commission to deny the application and have the project sponsor go back to the drawing board.

(-) Francis Prete

- The entire neighborhood consists of two story rooflines.
- He concurs with the recommendation of the Planning Department.

(+) Meyer Jew – Project Sponsor

- He believes that this project should be approved because the Discretionary Review requestor and his supporters have not shown exceptional and extraordinary circumstances to justify denial.
- He displayed diagrams of the subject project and explained that there have been many neighbors who have signed letters of support for his project.
- He walked throughout the neighborhood and counted that there have been a few homes with vertical additions.

(+) John Hentz

- When he looks west out through his back windows, he can see two homes with vertical extensions.
- This is something that is really needed for the project sponsor and his family.
- He is considering this type of extension in the future.

- He does not believe that this project will take away from the character of the neighborhood.

(+) Joan Kobota

- The addition would not change the character of the neighborhood.
- There is an inconsistency with regard to the staff recommendation.
- View is not a significant factor to take Discretionary Review.
- She agrees that the pre-application process is very important.
- She urges the Commission to approve this project.

(+) Twan Ng

- He described the various floor plans and their dimensions.

ACTION: Did not take Discretionary Review and Approved Project (with instructions to staff to continue to work on design)

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

15. 2003.0110DD (K. McGEE: (415) 558-6367)

1921 PALOU AVENUE - south side between Rankin and Silver Avenue, Lot 042 in Assessor's Block 5330 - Request for Discretionary Review of Building Permit Application No. 2001.10.04.9988 proposing to construct a new single-family, two story dwelling unit on a vacant lot. The subject property is located in an RH-1 (Residential, House, One-Family) Zoning District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

SPEAKER(S):

Re: Continuance

Carry (did not state last name)

- He has no objection to continuing this project.
- He is just a bit bothered with the fact that he found out about the continuance this morning

Jeremy Paul – Representing Project Sponsor

- He also recently found out about the request for continuance.
- He was just contacted to do some research.
- He would rather hear it as soon as possible.

Frederic A. Campagnoli – Discretionary Review Requestor

- He supports the continuance.

ACTION: Without hearing, item continued to November 20, 2003.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

16. 2003.0435DD (R. CRAWFORD: (415) 558-6358)

231 DELANO AVENUE - south side between Santa Ynez and Rudden Avenues. Assessor's Block 3211 Lot 017A - Request for Discretionary Review of Building Permit Applications No. 2001 0904 7432, 2001 0904 7434, and 2002 0510 6251, to respond to Department of Building Inspection enforcement actions relating to illegal occupancy and construction without permits in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk District. In particular, the Project will:

1. In the building at 231 Delano Street;
 - a) Eliminate ground floor rooms and restore parking.
 - b) Eliminate an illegal third floor dwelling unit.
 - c) Legalize a second story deck constructed on the rear 5 feet from the south side property line.
2. In the building at 231 A&B Delano Street;

- a) Eliminate ground floor rooms and restore parking.
- b) Legalize the reconstructed and repaired rear stairs.
- c) Legalize four bedrooms in each of the two dwelling units in the building.
- 3. In the building at 231 C Delano Street;
 - a) Eliminate an illegal dwelling unit in the building.
 - b) Legalize a deck constructed on the northeast corner of the building.
- 4. Demolish the existing detached garage between the 231 and the 231 A&B Buildings,

Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications.

SPEAKER(S):

(-) David Hooper

- The property is a legal nonconforming structure.
- This was an opportunity to bring his concerns to a public forum.
- The question has centered on no effective property management and a disregard for the housing code. He is looking for some way for someone to say, enough is enough!
- This is a problem piece of property. Someone should be accountable for maintaining the property.
- The garages, which have never been used as a garage, be made available to the tenants for the storage of their cars.
- He hopes that the Commission will agree to take Discretionary Review and help the neighbors deal with this long term problematic piece of property.

(-) Paula Savich

- She does not live in the neighborhood any longer. When she first moved into the neighborhood, there were never these kinds of problems.
- One parking space per unit is reasonable.

(-) Miriam Sosa

- She has a problem with the windows and the neighbors.
- Her windows are always closed because she has no privacy.
- She does not clean the yard anymore because it depresses her.

(-) Joe Aner

- He has lived in the neighborhood since 1998.
- There are some really noisy tenants in the neighborhood.
- His issue is the noise. Although many of the tenants have moved out.
- He hopes to get families to live in these units.
- The subject property is just an eyesore.

(-) Roberto Artiga

- He has lived in the area close to 30 years.
- Before, the neighborhood used to be a peaceful place. The disruptions started about 6 or 7 years ago.
- When the property owner started to rent by room is when the problems started.
- The garages have been converted into living quarters and have been rented to people for storage so there is no place to park cars.

(-) (first name unclear) Cotero

- The tenants cannot park in the garage because they are being used for storage so people park in front of his home.
- This forum seems to be the place to be able to solve all the problems.

(+) Harold Smith – Real Estate Broker

- He has been helping the project sponsor clear up all the violations.
- The City Attorney's Office has helped to get rid of these violations.
- There are building permits that are about to be issued to correct these violations.
- Many of the issues the previous speakers have spoken about will be corrected.
- The house will be conformed legally and the illegal units will be eliminated.

- ACTION:** Take Discretionary Review and Approve with staff modifications:
- a) The units in building 231 A&B shall have a maximum of two bedrooms.
 - b) All violations of the Planning and Building Codes must be corrected and all illegal dwelling units eliminated.
 - c) The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to neighbors related to the operation of this Project. The name and telephone number of the community liaison officer shall be reported to the Zoning Administrator for reference.
- AYES:** Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
- ABSENT:** Boyd and Feldstein

17. 2003.0700DD (R. CRAWFORD: (415) 558-6358)
565 CLIPPER STREET - south side between Douglass and Diamond Streets. Assessor's Block 6556 Lot 021 - Request for Discretionary Review of Building Permit Application No. 2003 0307 9076, to construct a new third floor and a three story rear addition to the existing two story single family dwelling in an RH-2 (Residential House, Two Family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications.

SPEAKER(S):

(-) David Lewis – 1st Discretionary Review Requestor

- He will have three major windows blocked with this project. He considers this a problem since it will block the light to his home and to a deck in the back.
- He has spent a lot of time working on his yard.
- Even though there are some things that will be preserved, he believes that this is a demolition.
- He would like this project scaled down to make it work in the neighborhood.

(-) Colette Carpin

- She is concerned with the size and bulk of the proposed project.
- The elevation from her property is lower than the adjacent ground level of the subject property. So the project will tower over her property and will impact the air.
- She is not looking forward to totally being walled in with a tower.

(+) Derrik Wu – Representing Project Sponsor

- The project sponsor will be providing living space for her family and her extended family.
- After the plans were submitted, he had an opportunity to speak with the neighbors.
- The project sponsor listened to the neighbors and has scaled down the project.
- He has not had a chance to submit the revised design plans because he has only shown them to the neighbors and is waiting for their comments.

- ACTION:** Public Hearing Closed. Item continued to November 6, 2003. The project is required to submit the plans to the Commission and Department staff.
- AYES:** Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
- ABSENT:** Boyd and Feldstein

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 7:38 p.m. – In memory of the victims of the September 11, 2001 attack.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 2, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SAN FRANCISCO PLANNING COMMISSION & REDEVELOPMENT AGENCY COMMISSION

Meeting Minutes

Special Joint Meeting

Board of Supervisors Chambers - Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, September 18, 2003
12:30 PM

DOCUMENTS DEPT.

OCT - 9 2003

SAN FRANCISCO
PUBLIC LIBRARY

PLANNING COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell; Lisa Feldstein; Kevin Hughes; Sue Lee; William L. Lee

REDEVELOPMENT COMMISSIONERS PRESENT: Darshan Singh; Leroy King; Mark Dunlop; Michelle W. Sexton

THE MEETING WAS CALLED TO ORDER BY PLANNING COMMISSION PRESIDENT BRADFORD BELL AT 1:08 p.m.

PLANNING STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Amit Ghosh; Bill Wacko; Judy Boyajian -- Deputy City Attorney; Patricia Gerber – Executive Secretary; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

REDEVELOPMENT STAFF IN ATTENDANCE: Erwin R. Tanjuaquio – Agency Secretary.

A. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Byron Yee – Chair of the Mid- Market Area Committee

- They support the EIR and recommend certifying it.
- Various businesses and residents support this document.

Anthony Faber

- Ditto!

Robert McCarthy – Representing the Orpheum Theatre

- He is delighted to get to this point.

- He is here to urge the Commission to approve this project. The document is complete and accurate.
- He salutes Lisa King, Jose Campos, and Mr. Morales, as well as Larry Badiner, Acting Director, and Jim Nixon, Acting Zoning Administrator to revitalize the most significant street in San Francisco.

B. SPECIAL CALENDAR

1. **2002.0805E (B.WYCKO: (415) 558-5972, L. KING, (RDA): (415) 749-2504)**
MID MARKET REDEVELOPMENT PLAN – CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT. The Redevelopment Agency of the City and County of San Francisco (SFRA) proposes the Mid-Market Redevelopment Plan for the Mid-Market Project Area, located in downtown San Francisco, generally from Fifth Street to Tenth Street along the Market and Mission Streets corridor. The Project Area encompasses 14 Assessor's Blocks in portion or in entirety: 341, 342, 350, 355 (North of Market), 3507, 3508, 3509, 3701, 3702, 3703, 3704, 3725, 3727, and 3728 (South of Market). A Mid-Market Special Use District would also include A/B 351 (North of Market). The Mid-Market Plan would authorize the SFRA to participate in certain projects and programs to help alleviate blighting conditions in the project area. Plan implementation would include about 5,970,000 square feet of new and rehabilitated space: including about 2,890,000 square feet of housing, 1,200,000 square feet of office space, 548,000 square feet of parking, 106,000 square feet of institutional space, 394,000 square feet of retail space, 385,000 square feet of hotel use, and 351,500 square feet of theater and art space. The overall development assumed in the Mid-Market Plan would occur over a 30-year time period. The EIR analyzes overall changes in land use in the Project Area for the year 2020. It does not assume detailed plans for specific development sites.

NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 17, 2002. the Planning and Redevelopment Commissions do not conduct public review of Final EIR's. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission Calendar.

Preliminary Recommendation: Certify EIR

PLANNING COMMISSION:

SPEAKER(S): None
ACTION: EIR Certified
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd
MOTION: 16657

REDEVELOPMENT AGENCY COMMISSION:

SPEAKER(S): None
ACTION: Approved EIR Certification
AYES: Dunlop, King, Singh, Sexton
ABSENT: Romero, Palamountain, Yee
RESOLUTION: 153-2003

C. PUBLIC COMMENT

At this time, members of the public may address the Joint Commission on items of interest to the public that are within the subject matter jurisdiction of these Commissions except agenda items. With respect to agenda items, your opportunity to address these Commissions will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be

exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

None

Adjournment: 1:28 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 2, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, September 18, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT

OCT - 9 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Lisa Feldstein, Kevin Hughes,
Sue Lee William L. Lee

COMMISSIONERS ABSENT: Edgar E. Boyd

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 2:08 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Judy Boyajian - Deputy City Attorney; Amit Ghosh; Delvin Washington; Craig Nikitas; Kelley Amdur; Adam Light; Matt Snyder; Rick Crawford; Dan Sirois; Jim Miller; Patricia Gerber; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2003.0253D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - south side between 42nd and 43rd Avenue; lot 016 in Assessor's Block 1502 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2001.03.07.3684, proposing the demolition of a two-story two-family dwelling, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story two-family dwelling with two off-street parking spaces.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of June 19, 2003)
(Proposed for Continuance to September 25, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

2. 2003.0183D (G. NELSON: (415) 558-6257)
2477-2479 SUTTER STREET - south side between Broderick and Divisadero Streets; lot 022 in Assessor's Block 1076 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions of Demolition Permit Application No. 2002.08.13.3876, proposing the demolition of a two-story two-family dwelling within an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story three-family dwelling with three off-street parking spaces.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.
(Continued from Regular Meeting of July 17, 2003)
(Proposed for Continuance to September 25, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to September 25, 2003.
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

3. 2002.0658C (M. WOODS: (415) 558-6315)
735 - 7th AVENUE, southwest corner of 7th Avenue and Cabrillo Street, an "L-shaped" lot extending to 8th Avenue, between Cabrillo and Fulton Streets; Lot 36, in Assessor's Block 1650 - Request for conditional use authorization to allow a use size of greater than 3,999 square feet on a lot that exceeds 9,999 square feet, pursuant to Planning Code Sections 121.2 and 121.1. The proposal is to construct a new approximately 28,000 square-foot Safeway supermarket with up to 65 off-street surface parking spaces, to replace the existing approximately 16,000 square-foot Safeway supermarket (proposed for demolition), on an approximately 54,000 square foot lot in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of September 4, 2003)
(Proposed for Continuance to November 6, 2003)

Lin Kim Lennie Lee

- She owns the adjacent property as well.
- She favors the variance to have Safeway enlarged.
- The neighborhood has changed and grown so it would appropriate for Safeway to expand.
- She requested that this item be heard today.

SPEAKER(S): None
ACTION: Without hearing, item continued to November 6, 2003.
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

4. 2003.0611C (K. AMDUR: (415) 558-6351)
1121 POLK STREET - west side between Post and Sutter Streets; Lot 002 in Assessor's Block 0691 - Request for conditional use authorization for the addition of "Other Entertainment," in the form of a piano and piano player, to the existing bar d.b.a. "Katie's Cocktail Lounge." The bar is open from 10am to 1am seven days a week, and the entertainment would take place between 9pm and midnight. The bar is located on the ground floor of a 3-story building, with 24 dwelling units on the 2nd and 3rd floors. The subject property is located in the Polk Neighborhood Commercial District and a 130-E Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to November 6, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to November 6, 2003.
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

5. 2003.0277E (N. TURRELL: (415) 558-5994)
1725 WASHINGTON STREET - Assessor's Block 0619, Lot 015 - **Appeal of a Preliminary Mitigated Negative Declaration.** The 6,384-square-foot project site is located at 1725 Washington Street, between Polk Street and Van Ness Avenue in the lower Nob Hill neighborhood. The proposed project would involve the demolition of an approximately 11,435-gross-square-foot (gsf) 23-foot tall vacant church building (formerly the Lutheran Church of the Holy Spirit), and construction of an approximately 24,841-gsf, five-story, 50-foot-tall residential building containing 16 units and 16 off-street parking spaces. Pedestrian and vehicular access to the proposed residential building would be from Washington Street. The site is in the Polk Street Neighborhood Commercial District, and is in a 65-A height and bulk district.
Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration
(Proposed for Continuance to November 13, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to November 13, 2003.
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption – June 12 and 19, 2003 (Continued from Regular Meeting of September 11, 2003); July 31, 2003 and August 21, 2003

Minutes of June 12, 2003:

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
ABSENT: Boyd
EXCUSED: Hughes

Minutes of June 19, 2003:

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee
ABSENT: Boyd
EXCUSED: W. Lee

Minutes of July 31, 2003:

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd
EXCUSED: Bradford Bell

Minutes of August 21, 2003:

SPEAKER(S): None
ACTION: Minutes continued to September 25, 2003 because of a lack of quorum of Commissioners who attended the meeting to take action.
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd

7. Commission Comments/Questions

Commissioner Feldstein:

Re: Information to the Commission

- Informed the public that if they provide documents less than a week before the hearing they cannot expect Commissioners to have reviewed their material or to have a reasonable response to it.
- She announced that she received items this week on two projects that she has not actually seen.

Re: Work Plan

- This item is scheduled for next week and there is some confusion about what the Commission is looking for.
- She is asking for something more detailed than just the little pamphlet she received from the Department.
- She hopes that a discussion can be scheduled that states what the Department is trying to accomplish and what specific actions are being taken in this regard.

Commissioner Bradford Bell:

Re: Work Plan

- Staff should be able to follow up on this.
- The budget impacts need to be looked at. There was a very detailed work plan presented to the Land Use Committee that prioritized projects--but this was before the budget cuts and impacts.
- Staff is bringing this back in some form that gives detail in terms of priority and a little background as Commissioner Feldstein has just requested.

Acting Zoning Administrator Responded to Commissioner Feldstein:

- The document has been prepared for the review of the Commission next week (9/25/03).
- If it is not as complete as the Commission wants, staff will be present at the hearing to answer any questions Commissioners might have.

Commissioner Antonini:

Re: Golden Gateway

- He met with people who live in the area and are concerned about a future project that will develop a recreational area as part of the Golden Gateway.
- He made comments that were his own and not representative of the Commission as a whole.

Commissioner Bill Lee:

Re: Work Plan

- Regarding Commissioner Feldstein's request: each department is required to submit to the Mayor's Office and the Controller's Office on October 1, performance measures and a customer service plan as required by Charter. The Charter also requires that a strategic plan be submitted.
- He assumes that the Commission will receive copies of this information.
- He also assumes that if the fee increases don't go through (the 1.2 million), staff will break this down and show which plans will not be able to be implemented in this year's work plan.

Acting Zoning Administrator Responded to Commissioner Bill Lee's Comment:

- If we do not receive all of the money, the Commission will receive information on what we can do with the money the department does receive.

C. DIRECTOR'S REPORT**8. Director's Announcements****Re: Housing Element**

Amit Ghosh from staff gave a status report on the compilation and distribution schedule of the document for the October 9, 2003 hearing on the Housing Element:

- The last hearing on the Housing Element was at the end of July where public comment was received.
- On the 25th of August, Commissioners presented their comments to staff.
- Today, September 18, 2003, there are two documents that will be released. The first document contains staff's response to Planning Commissioner's comments on the February and July draft of the Housing Element. This document repeats written comments verbatim, discusses them, and then suggests changes which could be incorporated into the final draft of the Housing Element; The second is the fourth draft of the Housing Element and it incorporates the changes that staff would recommend to the Commission as a response to their comments and all the public comment which has been received so far.

Marilyn Amini

- She did get a copy of the new release about one hour ago.
- It is a tremendously large document and there are only three weeks before the hearing of the Housing Element.
- She urged the Commission to not close public comment.
- How will the Department notice the hearing on this document?
- Many commissioners asked that notice go out "piggy backed" in utility bills.
- She has received three statements (from utility companies) and there is no information about the Housing Element in them.
- This is a very important proposal going before the Commission and the public needs to know.

Edward Evans

- He requested that the draft materials be made available in alternative format for people with disabilities.

Chris Zelieg

- She requested that public comment be closed on the Housing Element because it needs to move forward and it should be approved by November 6, 2003.

**9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS:****BOS Hearing of September 16, 2003:****2026 Lombard Street:**

This was an appeal of a Negative Declaration and Conditional Use Authorization.

The Commission approved this project on June 12, 2003 with a vote of +6-0 (Commissioner Hughes was absent)

- The proposal is to demolish an existing 30 room, 8,630 square foot tourist motel and to construct a 97 room hotel with 78 off-street parking spaces.
- Mr. Paul Maltzer and Ms. Rhana Ahmadi of the MEA staff represented the appeal of the Negative Declaration.
- After a lengthy hearing, the Board voted +7-3 to uphold the Negative Declaration (Supervisors Daly, Gonzalez, and McGoldrick voted No); Supervisor Newsom was recused because of a conflict of interest.
- On the appeal of the Commission's Conditional Use Authorization, the Board voted to amend the project by increasing the setback on the rear building of the new hotel by an additional 10 feet on the 3rd floor, and 20 additional feet on the 4th floor.

- The Board voted +8-2 to approve the project with amendments (Supervisors Ma and Sandoval voted No), and Supervisor Newsom was recused.
- The project was also amended dealing with the geotechnical elements that were agreed to by the project sponsor. The amended project was approved on a +9-1 vote (Supervisor Ma voted No) and Supervisor Newsom was again recused.

Appeal of the EIR for the Golden Gate Concourse

The Board voted +8-3 (Supervisors Amiano, Daly and Gonzalez voted No) to affirm this Commission's certification of the Final Environmental Impact Report for the Golden Gate Park Concourse Authority projects. Stephen Willis of Save Golden Gate Park and the Alliance filed the appeal for Golden Gate Park.

378 10th Avenue (aka 389 9th Avenue and/or 4500 Geary Boulevard

The Board held a lengthy hearing of this Commission's Conditional Use Authorization to place six cellular antennas on this preference 1 location site.

- This was approved +5-1 on July 17, 2003 by this Commission. The Board overturned the Commission's authorization unanimously on a +9-0 vote (Supervisors Sandoval and Newsom were absent).

301 Mission Street EIR Appeal

The Board voted +6-0 (Maxwell, Gonzalez and Amiano dissenting), Supervisor Newsom and Sandoval were absent) to affirm this Commission's certification of the Final Environmental Impact Report for the 301 Mission Street Project). The appeal was filed by Sue Hestor on behalf of the Rincon Hill Residents' Association.

BOA:

Re: 330 25th Avenue – staff presented the case to the Board and clarified the Commission's action. The BOA approved the Commission's decision.

Re: 290 Beacon Street – Discretionary Review. The Board added new conditions requiring minimum building code standards for light and air.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

None

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

10. 2002.0277C (A. LIGHT: (415) 558-6254)
150 GOLDEN GATE AVENUE - north side between Jones and Leavenworth Streets, in Assessor's Block 344, Lot 4. Request for a Conditional Use authorization to construct a building exceeding 40 feet in height in an R (Residential) District, to determine an appropriate setback at the top portion of the front of the façade of the proposed building, and to allow an Institutional Use in an RC (Residential Commercial Combined) District. The subject property is zoned RC-4 (Residential-Commercial, Combined, High Density) District, is in the North of Market Special Use District, and is in an 80-120-T Height and Bulk District. The proposal is to demolish an existing four-story, approximately 88-foot high vacant building originally used as a lodge building for the Knights of Columbus, and most recently as office space. The existing building would be replaced with a new five-story, approximately 78'-0" high building that would house administrative and some on-site service functions of the St. Anthony Foundation which provides a variety of services

to homeless and other disadvantaged individuals. The proposed facility at 150 Golden Gate would function as part of a larger campus of St. Anthony's and would specifically provide space for administrative offices, counseling, health and job training services, and, temporarily, some dining services, until a new dining and residential structure could be constructed across the street.

Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of September 11, 2003)

NOTE: On May 1, 2003, following public testimony, the Commission closed public hearing and continued this item to July 17, 2003 allowing the project sponsor to continue to work with the community by a vote of +7-0.

SPEAKER(S):

(+) David Villalobos

- He has seen great efforts made to enhance the cleanliness of the location.
- Some of the issues that he had regarding homeless encampments, loitering, etc are no longer there at all.
- The sidewalks have been cleaned.
- The problems in the area are more of a community issue.
- There is more dialogue now with the community.
- Everyone should work together.
- He now supports this project and urges the Commission to approve it.

(-) Edward Evans – Community Resources Action Project

- He is a community organizer in the Tenderloin
- He objects to St. Anthony giving money to an individual to change their vote.
- The negative element from the food service program is one of the main causes of the problems in the neighborhood.
- The food service for single males should be moved south of market.
- The food service for women, children and disabled should stay at this location.
- People have been assaulted near this project.
- A safe environment is necessary.
- Tourists should be able to come to this part of the City.
- It is important that St. Anthony listen to the requests of the public.

(-) David Baker

- He is a long-time Tenderloin activist.
- St. Anthony's project is terrible.
- The project proposes to further degrade the area.
- This is not a benign project. It will compound the problems in the area.
- He is not an alarmist. There are many people who do not support this project.

(-) Don Andreini – SF Architectural Heritage

- Heritage does not oppose this project.
- He is here to inform the Commission that the building received an "A" rating.
- The site is worthy of a Landmark designation.
- He requested that the commission give more time to discuss the preservation alternative.

(-) Maria Gordon

- St. Anthony has been at this location for many years and the problems in the area are not new.
- She is glad that St. Anthony is there but they cannot concentrate all of their services in just one area.
- They need to broaden their locations.
- She requested more time to discuss issues.

(+/-) Michael Nulty – Tenant Associations Coalition of San Francisco

- He is the coordinator of Tenant's Association Coalition.
- He lives in the Tenderloin.

- He requested a continuance to discuss the issues brought up during community meetings.

(+/-) Byron Yee

- He submitted letters stating the problems that he sees in the neighborhood.
- There are mattresses on the sidewalk on Jones Street with people lying there with bottles in their hand.
- It requires additional time and effort to keep the area clean and safe.
- He would like to have this item continued so that St. Anthony can prove that they can solve all the problems and issues.

(-) Elaine Zamora – 118 Jones Street – Property-Business Owner

- She lives on Jones Street.
- Although some discussion has taken place, there is more discussion that is needed.

(-) Lea Curry

- They are not politically savvy. They are just residents.
- They have tried to have dialogue but have been unsuccessful.
- They have received boilerplate information on the Conditions of Approval at the last minute.
- St. Anthony's mission can succeed but it has to be done intelligently.

(-) Ann Nguyen

- She has been living in the Tenderloin for 13 years.
- She knows what it is like to walk through the streets in this area.
- She is concerned that the makeup of the Tenderloin has changed dramatically since the dining hall has been there.
- Although she values the importance of the food being served, the food line can become very disruptive.

John Nulty – Preserving the Interior of Lofty Edifice

- He requested a continuance until community issues are addressed prior to offering Conditional Use.
- Stakeholders raised many of these issues in various community meetings.
- There are still many concerns over what good neighbor policies that are in place with the current operations at St. Anthony's.

(+) Rev. Glenda Hope – Network Ministries

- She is not a stranger to the problems in the Tenderloin, but to blame St. Anthony's is ridiculous.
- She has participated in many efforts to organize the community.
- The Tenderloin is one of the most fragmented neighborhoods in this City.
- She has worked with St. Anthony's for many years.
- St. Anthony represents the best interests of the people of San Francisco.
- She hopes that the Commission will approve this project today.

(+) Suheil Totah – Morrison and Forrester – representing St. Anthony's Foundation

- They requested that St. Anthony provide 60 hours of community services.
- He feels that St. Anthony's has provided this.

(+) Father John Hardin, OFM

- Half of the neighborhood guests declared themselves homeless.
- The number one issue was housing.
- 60 percent of people still experience hunger at least once a week.
- One of the suggestions is to move the males to another location. This is not feasible for St. Anthony's.
- St. Anthony's does not condone drug use, using sidewalks to urinate or defecate.

(+) Linda Pasquinnucci – St. Anthony Foundation

- Several people in the neighborhood stated that they were not against this project.
- There are people who do not have a place to call their own.
- She hopes that what they have done satisfies the Commission and the project gets approved.

(+) Paula Lewis – Director of Operations – St. Anthony Foundation

- She requested that members of the public, sitting in the audience, stand up if here in support of this project.
- More than half of the people in the hearing room stood up.
- For the past five months she has been very closely with the Tenderloin community regarding this project.
- She submitted a record of all that has been done until recently to present their project to the community. It contains letters of support, signatures, etc.
- They have met with several community groups to discuss issues and this is also presented in the record submitted.
- She believes that their project will allow them to provide various needed services to the community.

(+) John Crskaville – Swords to Flowshares

- He supports this project.
- There are over 1,000 nonprofit social services agencies that save lives.
- St. Anthony's Foundation is one of them.

(+) Leslie Backo – San Francisco Food Bank

- The food bank has worked closely with St. Anthony's Foundation.
- They strongly support this project.
- Hunger impedes people from having happy and productive lives.
- She urges the Commission to approve this project.

(+) Calvin Gipson – Glide Memorial Church

- Glide Church has been a spiritual partner with St. Anthony's Foundation.
- The Tenderloin is one of the poorest areas in the city.
- The programs they provided reach out to many people.
- Glide stands with St. Anthony to help them with their mission.

(+) Ana Valdes – St. Anthony Foundation

- They are one of two free clinics in the area.
- With the new building, they will be able to increase their physical space and not have to turn away patients.

(+) Karsten Peters – St. Anthony Foundation

- He is a recovering alcoholic and drug user; he has been in food lines and has lived on the street.
- He now works for St. Anthony's Foundation. His life is a testimony to show how they help people.

(+) Kate Ward – De Marillac Middle School

- She is here to represent the de Marillac Middle School who supports this project.
- Many of the services that St. Anthony provides have been helpful to the school.

(+) Dick Hodgson – SF Community Clinic Consortium

- St. Anthony's has been a leader in this community for many years.
- There are seven million uninsured people who need free services.
- His organization strongly supports this project.

(+) Malachi Maddox – St. Anthony Foundation

- He was able to get his life back on track thanks to St. Anthony's Foundation.
- He is getting ready to get back into society and he is very thankful to God for the foundation.

(+) Marie Alice DuMabeiller – St. Anthony Foundation

- She is happy to be here today requesting that the Commission approve this project.
- She used to go to St. Anthony's when she did not have anything to eat.
- It is deplorable that there are people who are against this project.
- Thank God that there has been the Franciscan presence for so many years.
- She urged the Commission to approve this project.

(+) Mark Fisher – St. Anthony Foundation

- He has been on St. Anthony's staff for many years.

- Before St. Anthony, he had various jobs.
- He used to be a drug addict and an alcoholic. Now he is a clean and sober thanks to St. Anthony's Foundation.
- The advantage of the rehab program at St. Anthony's is that it works.
- (+) **Richard Beal – St. Anthony Foundation**
- He is a St. Anthony's Foundation employee.
- He has been able to see many lives the foundation has helped.
- His own life is a miracle because at one point he was lying out on the ground in front of the Foundation.
- The foundation is a soul-searching organization.
- (+) **Friar Louis Vitale – St. Boniface Church**
- The street will get better by approving this project.
- The Franciscans started the Tenderloin Housing Association.
- St. Anthony's is a safety net, which there are not enough of.
- People say that St. Anthony's dining room should move to another neighborhood-- everyone knows that this is impossible.
- (+) **James Wisner – St. Anthony Foundation**
- He is a resident in the Tenderloin.
- He was in desperate need of help and found St. Anthony's Foundation. He owes his life to the Foundation because of their help.
- He urges the Commission to support St. Anthony's involvement.
- (+) **Mike Ellinger – Central City SRO Collaborative**
- He is currently a housing activist.
- He lives on a fixed income and goes to St. Anthony's dining room every single evening.
- Putting homeless people into a dark room so they will be out of site is not the solution to the problem.
- He is in favor of anything that will enhance the foundation.
- (+) **Carmen Barsody, OSF – Faithful Fools**
- She is a Franciscan nun.
- She knows that the responsibility is not just St. Anthony's.
- Working together to address what troubles people the most is very important.
- Many of the people who are on the sidewalks do have SRO hotels, but many of the spaces are too small so they hang out on the sidewalk.
- (+) **Parisa Parsa – Faithful Fools Street Ministry/First Unitarian University Church of San Francisco**
- She is in favor of having this project continued.
- There are many people who are just trying to survive.
- She hopes that people who live in the area will participate in organizations and committees to help improve the neighborhood.
- (+) **Cissie Bonini – St. Anthony Foundation**
- It is everyone's responsibility to have a cleaner and safer neighborhood.
- She knows that there is a request to move the male guests of the foundation.
- 1 in 3 are veterans, and 7 out of 10 male guests are over 40 years old.
- St. Anthony's is a good neighbor.
- (+) **Shelly Roder – St. Boniface Neighborhood Center**
- St. Boniface Church is in support of this project.
- She has become familiar with the services provided by the foundation.
- St. Anthony's foundation provides an extensive amount of services to the community.
- (+) **Mary Liz Harris – Volunteer – St. Anthony Foundation**
- She lives in the Tenderloin and is a volunteer for the foundation.
- She supports this project.
- She has guided many people to go to the foundation that have received help.
- (+) **Brother Robert Brady – St. Boniface Church**
- He displayed photographs of the foundation in the 1800s.

- He asks the support of the Commission to approve this project.

(+) Robert McCarthy

- He supports this project.

- The purpose of St. Anthony's is to help man.

- Even the generous government of San Francisco cannot provide for all the people who need help.

(+/-) Terrance Alan

- The people who have come to speak their opinion should not be considered as culprits.

- St. Anthony's has been there for more than 50 years and this project is not too much to ask.

- He feels that giving more time to this project in order to deal with the remaining issues will help the project out more.

(+) Davy Jones – Prostate Cancer Resource

- He thanked the staff of St. Anthony's project for reaching out to the community.

- He expressed his support for this project.

- The completed building will provide essential medical services for his clients at a time when there are service providers closing their doors because of a lack of funds.

- District 6, which is where this project is located, is one of the poorest.

- This project should be approved now.

(+) Craig Larson

- He owns the adjacent building.

- He supports this project.

- He feels that St. Anthony needs to make a commitment that all the conditions of approval will be respected and carried out.

- The new facilities will take the food line off the street.

- St. Anthony's should not begin construction until it receives all the necessary funding.

(+) Debra Stein

- She wants to comment on the issue that much of the Conditions of Approval are boilerplate.

- These Conditions are extraordinary good neighbor conditions.

- There has been good and effective dialog with members of the community.

- She urges the Commission to approve this project and continue to allow the good neighbor relations.

ACTION: Approved with Conditions as Amended: At the May 1, 2003 hearing, the Commission gave instructions for the project sponsor to work with neighborhood groups to come up with some reasonable conditions to mitigate some of the impacts generated directly from the operation of the proposed St. Anthony's temporary dining facilities at the project site. The project sponsor worked with staff and the neighborhood and developed 19 conditions of approval addressing specific operational impacts from the dining room facility. At today's hearing, the Planning Commission, at the recommendation of the Acting Director and Zoning Administrator, Jim Nixon, amended several of the conditions to do the following:

- 1) Extend the hours of operation from 10:00 a.m. to 2:30 p.m. to 10:00 a.m. to 3:30 p.m.
- 2) Simplify language on several of the conditions
- 3) Eliminate the portion of Finding No. 21 that referred to a need for City agencies to dedicate more resources to address neighborhood problems and issues in the Tenderloin.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16658

11. 2002.1105C (T. TAM: (415) 558-6325)
4039 18TH STREET - south side, between Hartford and Noe Streets, Lot 81 in Assessor's Block 3583 - Request for a Conditional Use Authorization pursuant to Planning Code Sections 186, 715, and 151, to allow (1) conversion of an existing nonconforming large fast-food restaurant (Hot n' Hunky's) to a full-service restaurant, (2) demolition of an existing two-bedroom unit on the second floor, and (3) addition of one new dwelling unit without providing any off-street parking. The property is in the Castro Street Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of September 11, 2003)
NOTE: On August 28, 2003, following public testimony, the Commission closed the public hearing and entertained a motion of intent to approve the restaurant conversion, but not the residential conversion by a vote +4 -1. Commissioner William Lee voted no. Commissioners Feldstein and Sue Lee were absent. Final language September 11, 2003.

SPEAKER(S): None

ACTION: Without hearing, item continued to October 2, 2003.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

E. REGULAR CALENDAR

12. (L. AVERY: (415) 558-6407)
RECORD RETENTION POLICY - Pursuant to Chapter 8 of the San Francisco Administrative Code, the Planning Commission is requested to consider for adoption the proposed Records Retention Policies and Schedules.
(Continued from Regular Meeting of September 4, 2003)

SPEAKER(S):

Marilyn Amini

- For historic and legal reasons, the records retention policy is very important.
- There were 13 items that were under long range planning that have been taken away.
- She is concerned because she does not want long range planning to "fall through the cracks."
- Records should be retained because this is a time of major changes for the City.

ACTION: Approved as Corrected: The **Record Category** for the following **TYPE OF RECORD** should be changed to Long Range Planning (Citywide Planning): Planning Information Counter Handouts; Master Plans; Master Plan Elements; Area Plan Drafts; Area Plan Adopted; Special Studies Drafts; Special Studies Adopted; Census & Demographic Information Products; Planning Department Publications; Analysis Files; Aerial Photos; Letters, Departmental Memos, Responses, General Correspondence.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

RESOLUTION: 16659

13. 2003.0932I (K. AMDUR: (415) 558-6351)
1145 & 1170 MARKET STREET - north and south sides, between 7th and 8th Streets, Lots 044 and 044A in Block 3702 and Lot 051 in Block 0351. Report to the Commission from the Zoning Administrator as required by Planning Code Section 304.5(c), that an

Abbreviated Institutional Master Plan (IMP) has been filed by the Art Institute of California - San Francisco (AIC-SF). The AIC-SF currently occupies approximately 43,000 square feet on eight floors of the United Nations Plaza building at 1170 Market Street and is proposing to expand into approximately 10,000 square feet on the ninth floor of 1145 Market Street. The AIC-SF's total site area with 1145 and 1170 Market Street combined would be approximately 20,082 square feet (0.47 acre), which is less than, the 1-acre threshold for filing a Full Institutional Master Plan as set forth in Section 304.5. Pursuant to Section 304.5 the Commission may either hold or not hold a public hearing on the Abbreviated IMP, as the Commission may deem the public interest to require. This hearing, if held, would be for the receipt of public testimony only.

Preliminary recommendation: The Planning Commission Should Not Hold A Public Hearing.

SPEAKER(S): None

ACTION: The Commission determined not to hold a public hearing.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

14. 2003.0244C (M. SNYDER: (415) 558-6891)
- 2101 BLOCK OF BRYANT STREET & 2830 20TH STREET - (the site formerly referred to as Bryant Square), located on the block bounded by Bryant, 19th, York, and 20th Streets; Lots 60, 62, and 63 in Assessor's Block 4080 – Request for Conditional Use Authorization to allow [1] the construction of dwelling units in C-M (Heavy Commercial) and M-1 (Light Industrial) Districts pursuant to Planning Code Section 215(a), [2] an exception to Bulk Limits pursuant to Planning Code Section 271 and [3] a Planned Unit Development (PUD) pursuant to Planning Code Section 304 to modify Code Sections including (i) the dwelling unit density limits of Section 215, (ii) the rear yard requirements of Section 134, (iii) the dwelling unit exposure requirements of Section 140, and (iv) the usable open space requirements of Section 135. The subject property is within both a C-M and an M-1 Zoning District and a 65-B Height and Bulk District.
- Preliminary Recommendation: Approval with Conditions
- (Continued from Regular Meeting of July 31, 2003)

SPEAKER(S):

(+) Robert McCarthy – McCarthy and Swartz – Representing Project Sponsor

- They met with all of the neighborhood associations to discuss this project.
- This project is being presented with improvements.
- He thanked staff for working on this project.

(+) Dan Kingsley – SES Investments

- He is very please to bring this project before the Commission.
- This project reflects a sincere intention to be responsive to the many issues and recommendations provided by the residents of the Mission.
- After staff reviewed their proposal, they had three open houses and invited over 800 neighbors.
- MAC has been very clear about their objectives and is supportive of this project.

(+) Luis Granados – Mission Economic Development Association

- This project has been in process for many years.
- When it was originally presented, it was the wrong project at the wrong time in the wrong location.
- This project is geared toward families. This is very important.
- The compromise is good. The Commission and the Department should see this as a model project of how, with dialogue, both residents and developers benefit.
- He would like to know how this project would be monitored and enforced.

(+) David Dempsey – North East Mission Residents

- They have no reservations about endorsing this project.
- Both the residents and the neighborhood endorse this project.

(+) Debra Stein

- She read a letter from California Lawyers for the Arts.
- Through this development, the mission of the Art House will provide affordable workspace for artists who were working in the building already.

(+) Kate White – Housing Action Coalition

- They endorse this project and hope that the Commission will also.

(+) Antonio Diaz – PODER/MAC

- They are in support of this project with the conditions outlined.
- The process, which they have engaged in, has been very fruitful.
- They support this project because it preserves PDR space on the site, it provides housing, it provides affordable units and includes a level of affordability, which is steeper than what is required from the Planning Code.
- This project has gone through great improvements.

(+) Eric Quezada - MAC

- The meetings have been very productive.
- Although there are still many differences in the neighborhood, this project addresses a lot of their issues as well as their opinions.
- He really appreciates the openness and frankness of the developers.
- This was a good opportunity to get creative.

(+) Stephanie Rosenfeld – Carpenters Union

- She is very happy to be here to support this project.
- She urges the Commission to approve this project.

(+) Philip Lesser – President of the Mission Merchants Association

- His Board voted with very enthusiastic unity to approve this project.
- Many of their young business owners will be able to live close to their jobs.

ACTION: Approved with Conditions as Amended:

1. Add an additional condition to read: *At least 3 of the 160 parking spaces shall be offered for exclusive use by City CarShare or similar car sharing organization for shared vehicle use, unless the Planning Department finds that car sharing is infeasible at this project.*
2. Remove all references to the units being available for rent in all conditions of approval.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16660

15. 2002.0447C (R. CRAWFORD: (415) 558-6358)
302 SILVER AVENUE (JEWISH HOME FOR THE AGED) - at Mission Street, Assessor's Block 5952 Lot 002 - Request for Conditional Use Authorization under, Planning Code Sections 157 and 209.3(c) for development of parking in excess of accessory amounts and to expand a Residential Care Facility. The Project will demolish a two story 24,000 square foot building and replace it with a 43,000 square foot building, and replace the existing 89 stall parking lot with a 189 stall, two level parking structure in an RH-2, Residential House, Two Family District and within the 50-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):**(+) Daniel Rooth – Chief Executive Officer of the Jewish Home**

- The home has grown in the past few years.
- The neighbors are in support of this project.

(+) Bob Herman – Project Architect

- The existing wing was built in 1923 and is outdated and structurally deficient.

- The proposal will remove the east wing and replace it with a new structure that will bring many benefits.
- The Planning staff has commended the design.
- The design will be compatible with the rest of the building and will not obstruct any views.
- The proposal will also increase the parking lot.

ACTION: Approved
 AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Boyd
 MOTION: 16661

16. 2003.0653C (R. CRAWFORD: (415) 558-6358)
287 297 SAGAMORE STREET - at Alemany Boulevard, Assessor's Block 7148 Lot 039 - Request for Conditional Use Authorization under, Planning Code Section 209.3(j) to expand an existing Church by constructing vertical and horizontal additions to the one story building increasing the floor area from 1,835 square feet on one story to 3,884 square feet on two stories in an RH-1, Residential House, One Family District and within the 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Lincoln Lew – Project Architect

- This project is important for much needed housing.
- The design is aesthetically pleasing.
- He urges the Commission to approve this project.

(+) Rev. Raymond Kwong – Bible Baptist Church

- They provide various programs for the Chinese speaking community.
- They have services during the holidays.
- Many of their supporters were here but had to leave.
- He asked members of the public to stand up who support this project. About 25 people stood up.

(+) Alex Wong – Bible Baptist Church

- He read a letter from a Board member who is in support of this project.

(+) Grace Fong – Bible Baptist Church

- She is a member of the church and it has been a privilege to be part of this ministry.
- Their ability to communicate in more than one language has allowed the church to expand their services.
- She read a letter from a member who is in support of this project.

(+) Caleb Kwong

- He is a member of the church.
- They have had to turn people away because of the lack of space.
- The desire of their ministry is to help young people.

(+) Anne Kwong

- She read a letter from a member of the community who is in support of this project.
- She also read a letter from a member of the public who is in support of this project.

(+) Helen Yee – Bible Baptist Church

- She is here to support this project.
- She has been a member of the church since she was a teenager. The church has helped her to be an important part of the community.
- The church has provided for many children and youth but the space has become very limited.
- They also provide outreach ministries around the world.

(+) Yang Xiao – Bible Baptist Church

- He supports this project. He has been a member of the church for more than 13 years.
- The church provides benefits to the entire City of San Francisco.
- They have a growing youth program at the church.

ACTION: Approved
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd
MOTION: 16662

17. 2003.0830C (D. SIROIS: (415) 558-6313)
3914 JUDAH STREET - north side of Judah, between 44th and 45th Avenues, Lot 016 in Assessor's Block 1799 - Request for conditional use authorization pursuant to Section 710.44 to establish a small self-service restaurant in a 995 square foot commercial space. The project site is located in an NC-1 (Neighborhood Commercial Cluster) District in a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) David Catalano – Project Sponsor

- He is really excited about this project.
- He is a native of District 4.
- He urges the Commission to approve this project.

(+) Patrick McGuire – JAVA Beach

- He is a native of District 4.
- He owns his home on Judah Street.
- He supports this project as well as many of the adjacent businesses.

ACTION: Approved
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd
MOTION: 16663

18. 2003.0411EX (J. MILLER: (415) 558-6344)
530 - 532 FOLSOM STREET (AKA 33 - 41 CLEMENTINA STREET) - northwest side between Second and Ecker Streets, Lot 17 in Assessor's Block 3736, in a C-3-S (Downtown Support) District and a 200-S Height and Bulk District - Request for an exception to the rear-yard requirements of the City Planning Code under Section 309, for a proposed change of use from office to residential in an existing building. The site comprises a building fronting Folsom Street that will remain office use, presently occupied by the Mexican Consulate. The rear building, with frontage of Clementina Street, is proposed for conversion to six condominium units, approximately 18,000 gross square feet in total area. Required residential parking would be provided in the existing building. No physical expansion is proposed.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Steve Vettel

- This is an existing building.
- Each of the units will have two enclosed bedrooms as well as an open study.
- There is no expansion of the building.

(-) Sue Hestor

- The rules for live work, which were abused for about seven years, did not contemplate housing.
- This project will be located on a site that does not have many human amenities.

- The open space issues need to be looked at.

ACTION: Approved
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd
MOTION: 16664

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Sue Hestor

Re: Public Comment Period

- She would like to have on the agenda an item to discuss putting public comment at the beginning of the calendar for at least 15 minutes.
- This causes people not to come and discuss issues which are very important to the Commission.

Adjournment: 7:50 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 2, 2003.

SPEAKERS: None
ACTION: Approved as Amended: Page 11, the action for item 10 states to extend the hours of operation originally 10:00 a.m. to 2:30 a.m. to 10:00 a.m. to 3:30 a.m. – this should actually be 10:00 a.m. to 3:30 p.m.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, September 25, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

OCT 14 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Lisa Feldstein, Kevin Hughes, Sue Lee William L. Lee

COMMISSIONERS ABSENT: William L. Lee, Edgar E. Boyd

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:40 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Judy Boyajian - Deputy City Attorney; Jonathan Purvis; Paul Lord; Ben Fu; Geoffrey Nelson; Elaine Tope; Rick Crawford; Glenn Cabreros; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2003.0446Q (J. MILLER: (415) 558-6344)
400 - 410 VALLEJO STREET - northeast corner at Montgomery Street, Lot 11 in Assessor's Block 133 - Public hearing to determine consistency with the General Plan of a proposed six-unit Condominium-Conversion Subdivision, in an RH-3 (House, Three-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval
(Continued from Regular Meeting of July 17, 2003)
(Proposed for Continuance to October 2, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to October 2, 2003.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee

ABSENT: Boyd and W. Lee

2. 2003.0742D (G. CABREROS: (415) 558-6169)
666 - 24th AVENUE - east side between Anza and Balboa Streets; Lot 026B in Assessor's Block 1566 - Request for Discretionary Review of Building Permit Application No. 2003.01.29.6271, proposing a horizontal and vertical addition at the rear of an existing two-story, single-family residence in an RH-2 (Residential House, Two-Family) District and a 40-X Height and Bulk District. The project proposes a partial third floor at the rear half of the residence and a 7-foot 3-inch horizontal addition from the existing rear wall at all three floors.
Preliminary Recommendation: Do not take Discretionary Review and approve the application
(Proposed for Continuance to November 6, 2003)

SPEAKER(S):

Re: Continuance

Diane Lindsay

- She requested that this item be continued to a date before November 6, 2003.

ACTION: Item continued to November 6, 2003.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee

ABSENT: Boyd and W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption – Draft Minutes of June 26, 2003; August 21, 2003 (Continued from Regular Meeting of September 18, 2003); August 28, 2003 and September 4, 2003.

Minutes of June 26, 2003:

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Boyd, Hughes, S. Lee

EXCUSED: Bradford Bell and Feldstein

ABSENT: W. Lee

Minutes of August 21, 2003

SPEAKER(S): None

ACTION: Without hearing, item continued to October 2, 2003 because of a lack of quorum.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

Minutes of August 28, 2003

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes

EXCUSED: Feldstein and S. Lee

ABSENT: W. Lee

Minutes of September 4, 2003

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

4. Commission Comments/Questions

Commissioner Bradford Bell:*Re: Acknowledgement:*

- She acknowledged publicly Pricilla Watts, Director of SFGOV TV. Ms. Watts is retiring this month and she congratulated her on her retirement and acknowledged the excellent work she has done.

Commissioner Antonini:*Re: Speaking Engagement:*

He will be speaking at St. John's Episcopal Church on Monday, September 29, 2003.

Re: Housing Element:

- He thanked staff for a job well done on this document.

Commissioner Hughes:*Re: Housing Element:*

- He received copies of the housing Element and staff's response as well as Commissioner's comments. There is a comment on the document attributed to him that he did not make. Also, there is a comment he did make that is not in the document. He requested that staff correct this.

Acting Director Badiner Responded to Commissioner Hughes's comments:

- He will speak to Dr. Amit Ghosh from staff to have this information corrected.

Commissioner Feldstein:*Re: Discretionary Reviews*

- She requested information on fees regarding Discretionary Reviews.

- Requested of staff to try to move ahead with whatever action needs to be taken on programmatic EIRs and to reimburse the department for development of these areas.

C. DIRECTOR'S REPORT

5. Director's Announcements

Re: Informational Item on Planning Code Section 295 (aka Proposition "K"):

- This Code Section deals with shadows on parks and recreational open spaces.
- The item will be scheduled in the near future.

6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None**BOA:***Re: 21 Buena Vista Avenue*

- This was a Discretionary Review of a group housing hotel.
- The project sponsor stated that this use was not going to change.
- He received a letter requesting his determination as the Zoning Administrator, stating that the project sponsor was going to change this to a single-family house. In the Letter of Determination I stated that this was a permitted use. That determination is appealable.
- The Planning Director, Gerald Green, might want to bring this back to the Commission since the circumstances have changed.
- The project sponsor is seeking advise from the City Attorney because there is a desire to evict the tenants.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

None

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

7. 2002.1306C (J. PURVIS: (415) 558-6354)
1155 TENNESSEE STREET - east side south of 22nd Street; Lot 044 in Assessor's Block 4172 - Request for Conditional Use Authorization under Planning Code Section 711.38, to convert a dwelling unit into office space on the second floor of a three-unit, three-story-over-garage building, within an NC-2 (Small-Scale Neighborhood Commercial) District and a 50-X Height and Bulk District.
 Preliminary Recommendation: Disapproval
 (Continued from Regular Meeting of August 28, 2003)
NOTE: On August 28, 2003, following public testimony, the Commission closed the public hearing and passed a motion of intent to approve by a vote +4 -1. Commissioner William-Lee Boyd voted no. Commissioners Feldstein and Sue Lee were absent. Final language September 25, 2003.

SPEAKER(S): None

ACTION: Approved with amendments: add a condition stating the requirements of Section 178d of the Planning Code which states that if the operation is abandoned or discontinued for three years it cannot be restored unless through a new conditional use application.

AYES: Antonini, Bradford Bell, Hughes, S. Lee

NAYES: Boyd, Feldstein

ABSENT: W. Lee

MOTION: 16665

F. REGULAR CALENDAR

8. (L. BADINER: (415) 558-6411)
 Discussion and possible action on the Director's leave, adoption of the Department's management structure including new temporary job classifications while he is on leave, and a discussion of the Department's priorities in light of the approved 2003-2004 budget.

On Director's Leave:

SPEAKER(S):

Tim Tosta – Steefel, Levitt and Weiss

- He was at a conference last week at Harvard.
- It was a stunning experience for the community of which our common interest bounds together.
- He had a chance to have dinner with Gerald Green and it was an opportunity to see the depth and quality of the people in the program.
- It is an honor to the City that Mr. Green was chosen for this Fellowship.
- It is a wonderful environment where Mr. Green is right now.
- He hopes that the Commission will look at all these aspects of the situation and hopes the City recognizes that.

Jeffrey Heller – Heller and Mannus Architects

- He is part of a task force being put together between the AIA and SPUR, which is looking at how to make the planning process better; what recommendations can be put forth to the Commission in making the process move better.
- The flow of things while the Commission is making the decisions is reassuring knowing that Mr. Badiner is Acting Director.

Nilka Julio – Representing Local 21

- She appreciates the opportunity to speak on this issue.
- Budgetary measures have impacted the Planning Department.
- The membership of Local 21 is contributing
- She does not question the leave of Mr. Green or the ability of Mr. Badiner; she questions the impact to the budget and the department.

Kate White – Housing Action Coalition

- The coalition does not have a stand on this issue so she is speaking for herself.
- Why is Director Green taking a leave if he will not have a job when the new City Administration takes over in January?
- The Planning Department is such a key department in the City and she feels that the Acting Director should have complete control of this.

ACTION: The Commission approved Director Green's leave as an educational leave retroactive to September 1, 2003 up to and including June 30, 2004; consistent with all applicable Civil Service rules [including Federal and State law, pay rules and the Memorandum of Understanding that applies here]; and recognizing that the director may return to duties, for which he will be paid [while in San Francisco only], for short periods of time.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee

NAYES: Feldstein

ABSENT: W. Lee

On Creation of Two Temporary Positions – Acting Director and Acting Zoning Administrator:

ACTION: Approved as amended to make them retroactive to September 1, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

RESOLUTION: 16666

On the Department's Budget:

SPEAKER(S):

Kate White – Housing Acting Coalition

- She realizes that the public needs to talk to the Supervisors regarding the Planning Department's budget.
- The Planning Department is a key department for the City.
- Planning is needed for housing, neighborhoods and to keep the City livable.
- Without funding, there is a serious problem.
- It is very disconcerting that no money went to the department this year.
- Creative ways to find fees need to be found. Of course, the fees cannot be so high that developers will not want to do anything in San Francisco.

Marilyn Amini

- The material for the work plan was not available until this past Monday.
- The information that was displayed today was not provided to the public.
- She feels that the Department has problems on the budget because of these issues.
- If the community as a whole had been involved in the planning of the Housing Element, there would be fees allocated for the needs.
- Things are being proposed that are not in sync with the community.

Sue Hestor

- She agrees with Ms. White.
- Fee recovery needs to be done for people who use area plans.
- There have been too many spot rezoning in areas that are being considered for rezoning.
- It costs more on staff when projects that could have been done in 6 months is done in three years.
- All the developers are getting their projects and not the residents of San Francisco.

ACTION: On calendar for discussion only. No action taken.

9. 2003.0042T (P. LORD: (415) 558-6311)
MAJOR EXTERIOR ALTERATION NOTIFICATION - consideration of an Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to require expanded public notice for major exterior alteration projects; requiring the Building and Planning Departments to issue implementing regulation within 90 days and report to the Board of Supervisors on the effectiveness of the ordinance no later than nine months thereafter; and adopting findings.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular meeting of August 21, 2003)

SPEAKER(S):

Bruce Bonacker

- He is an architect and works on remodeling houses.
- He has been a member of the task force that is working on this item for a long time.
- Regarding re-notices on work being done on approved projects, he would like to not have that aspect of the legislation struck as has been recommended by Mr. Lord.
- If this aspect is not struck it would not cause a burden to the department.
- If the Commission feels that it should be struck, then the Acting Zoning Administrator should make the determination of noticing or not.

John Schlesinger

- Mr. Lord has pointed out some of the most important merits of the legislation.
- This legislation provides important information to the appropriate parties.
- He is also a member of the task force.

Pat Buscovich

- He is also on the task force.
- He wanted to expand the notice and create a fuller package so that everyone would understand what is going on.
- The Zoning Administrator should deal with minor changes and interested parties should deal with moderate changes only.
- This is a very critical portion of this legislation.

Jeremy Paul

- He has spent dozens of hours on this legislation.
- The first issue they dealt with was unlawful demolitions.
- He is strongly in favor of increased notification. The more information goes out in advance, is better to solve problems that perhaps will not be able to be undone.

Alice Barkley

- The problem she has with this ordinance is page 15, lines 15 to 19 because this legislation will place a burden on homeowner occupancy.
- When something is already under construction and needs to be changed, it should not require re-notification. That will place an extreme burden on a homeowner.

Sue Hestor

- She has a problem with the change of going to an 18-month period implementation on dealing with the Department of Building Inspection.
- This should not be delayed anymore.
- This is a doable plan.

Marilyn Amini

- This legislation is about expanding notice. The code requires a 300-foot radius on a project.
- The building code gives earlier notice.
- She is glad to hear that the Department is not suggesting 150-foot radius.
- It is important to notice neighbors of changes done to 2/3 of the structure.
- A lot of changes are done one site at projects.
- She has a question on what determines minor or moderate changes.
- The information on this legislation was not available to the public in a timely manor in order to give the public time to respond. Commissioner Feldstein is always announcing that she receives information in a short amount of time before a hearing.

ACTION:

Approved with the following language modification:

THEREFORE BE IT RESOLVED THAT, the Commission approves the Planning Code Amendments as presented in the draft ordinance signed by the City Attorney dated April 9, 2003 attached to this resolution as Exhibit A and recommends to the Board of Supervisors that the proposed Ordinance be adopted with minor modifications.

THEREFORE BE IT FURTHER RESOLVED THAT, the Commission recommends modifying the re-noticing language contained in Section B on pages 15 and 21 to read as follows:

(B) Proposed modifications, other than those listed in Section (6)(A) above, to the exterior, including but not limited to material and window location, size and type, that does not change the previously-approved building envelope shall require notice to be given only to those interested parties who registered at the time of the initial notification. The Department shall not approve a modified permit until 10 days after the additional notice is given. The length of required waiting period after approval of the modified permit and notification procedures may be reduced at the discretion of the Zoning Administrator.

THEREFORE BE IT FURTHER RESOLVED THAT, the Commission further recommends that the Board of Supervisors recognize the need for new staff and budget necessary to implement the requirements of this ordinance.

THEREFORE BE IT FURTHER RESOLVED THAT, the Commission recommends that the Board of Supervisors modify the language on page 12 line 4 to replace the "and" separators between "demolition," "new construction," and "alteration" with "or" as the separator and modify the new Section 5 on page 23 of the draft ordinance to read as follows:

Section 5. Adoption of Rules and Regulations. Within 90 days of the effective date of this ordinance, the Department of Building Inspection and Department of Planning shall jointly issue administrative regulations implementing the provisions of this ordinance. No later than 18 months thereafter, the two departments shall present to the Board of Supervisors a report on the effectiveness of the ordinance and any recommendations for amendments of its provisions. This ordinance shall apply only to those building permit applications filed after the issuance of administrative regulations or within 90 days of the effective date of this ordinance, which ever is sooner.

THEREFORE BE IT FURTHER RESOLVED THAT, the Commission recommends that the Board of Supervisors modify the language on page 8, beginning on line 9 to include the additional language provided as underlined text such that the draft ordinance would read as follows:

1. Information showing the relationship of the project to the adjacent properties including showing the outline of the front and rear elevations of adjacent properties and the side elevations of adjacent properties outlined on the side elevations of the subject property.

2. A notification map showing properties to be notified, including a clearly legible, reduced size site plan on an 11" by 17" page, at a measurable scale, to be used as part of the notification package.

2.1 An accurate site plan showing locations of lightwells, side setbacks and dimensions of adjacent buildings, existing grades and features of the subject and adjacent properties including but not limited to street trees, curb cuts and utility lines.

3. Separate plans of all floors (stories) to be provided at the same scale (1/4"=1'), with readable measurements showing:

3.1 existing conditions, in floor plan format, with a clear indication of the areas to be removed (demolitions plans).

3.2 proposed new floor plans.

4. Separate existing and proposed exterior elevations. Exterior elevation shall include diagrams and calculations showing the amount of removal of exterior walls. Each drawing shall be submitted on a clearly legible, reduced on 11" by 17" pages, as a measurable scale, with readable measurements, to be used as part of the notification package.

5. A footprint of the adjacent buildings showing the building heights and location of windows facing the subject property shown as part of the package listed in subparagraphs 1 and 2 above.

5.1 A completed copy of the Design Review Checklist found in the Residential Design Guidelines.....

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
 ABSENT: W. Lee
 MOTION: 16667

10. 2002.0639D (B. FU: (415) 558-6613)
604 RHODE ISLAND STREET AND 2005-2007 18TH STREET (aka 2001 18TH STREET; aka 602 RHODE ISLAND STREET) - corner of 18th and Rhode Island Streets, Lots 001 and 002 in Assessor's Block 4030 - Mandatory Discretionary Review of Building Permit Application Numbers 2002.05.22.7228 and 2002.05.22.7240, which would demolish a single family home and a two-unit home, respectively. Under proposed conditions, the two adjacent properties would be re-subdivided and a new single family home would be built on the resulting corner parcel while a new two-family home would be built on the resulting 18th Street parcel. Mandatory Discretionary Review is required under Planning Commission policy for projects proposing the demolition of housing. The properties are located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Continued from Regular Meeting of August 21, 2003)

SPEAKER(S):

Alice Barkley

- She is available for questions.
- In the packet there is a photograph that is missing regarding a staircase that is quite dangerous.
- When one gets to the top of the staircase, there is no landing. This could also be very dangerous.

Pat Buscovich

- He has reviewed the report.
- This report excludes seismic strengthening.
- The Commission should take into consideration that some buildings are unsound because of seismic problems.
- It is important to bolt down structures.

ACTION: The Commission Took No Action. The Demolition is Approved.

11. 2003.0183D (G. NELSON: (415) 558-6257)
2477-2479 SUTTER STREET - south side between Broderick and Divisadero Streets; lot 022 in Assessor's Block 1076 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions of Demolition Permit Application No. 2002.08.13.3876, proposing the demolition of a two-story two-family dwelling within an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story three-family dwelling with three off-street parking spaces.
 Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.
 (Continued from Regular Meeting of September 18, 2003)

SPEAKER(S):

David Silverman – Representing Project Sponsor

- The project satisfies all the requirements for demolition.
- The replacement building will have three off-street parking spaces.
- The project will also improve the neighborhood.
- This project is fully code compliant.
- The structure unit will provide an additional dwelling unit.

Steve Williams

- He is here as a private citizen.
- This house should be preserved since it violates only three of the four priority policies.
- This is a nice little house.
- This is not an unsafe or unsound house.
- He urges the Commission to look closely at the photos he submitted.

ACTION No. 1: Take Discretionary and Disapprove Demolition

AYES: Feldstein, Hughes, S. Lee
NAYES: Boyd, Antonini, Bradford Bell
ABSENT: W. Lee
RESULT: Motion Failed

ACTION No. 2: Public Hearing Closed. Item continued to October 16, 2003 for final action.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

12. 2003.0524D (G. NELSON: (415) 558-6257)
535 41ST. AVENUE - west side between Geary Boulevard and Anza Street; Lot 006 in Assessor's Block 1503 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions of Demolition Permit Application No. 2002.12.09.3100, proposing the demolition of a one-story, single-family residence within an RH-2 (Residential House, Two-Family) District and a 40-X Height and Bulk District. A four-story two-family residence replacement building with two off-street parking spaces is proposed under a separate application.
 Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

(+) Jeremy Paul

- There was no indication that there was any maintenance.
- The structural report is quite accurate.
- The proposed design sits fine with the adjacent homes and will complement the block.

(+) Patrick Buscovich – Structural Engineer

- The home was damaged in a previous earthquake.
- There are problems with the foundation.
- The plumbing still works but it is old and obsolete.
- There is mold throughout the house.
- Although the bathroom and kitchen look fine, the rest of the house needs a lot of work.

(+) Napat Chananudech

- In the original proposal, the house was three stories but now it has four stories.
- He has no objection to demolishing the building but the majority of the homes in the neighborhood have two stories and some have three stories.
- He is worried about the property values of the adjacent homes.

ACTION: Do not take Discretionary Review and approved demolition.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

13. 2003.0907D (E. TOPE: (415) 558-6316)
337 LISBON STREET - south side between Persia and Brazil Avenues; Lot 038 in Assessor's Block 6080 - Mandatory Discretionary Review, pursuant to the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2003.03.14.9814, proposing to demolish an existing single-family dwelling. A new single-family dwelling unit would be constructed under a separate Building Permit Application, No. 2003.03.14.9819s. The project is located in an RH-1 (House, One-Family) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

Toby Long – Project Architect

- This is one of the soggiest houses he has ever seen.
- The water has damaged most of the structure.
- The new structure will be more consistent with the project sponsor's lifestyle.
- This was originally not intended for a residence.

Isis (did not state last name)

- She is one of the owners of this house.
- When they purchased the house she did not realize how damaged the house was.

- She moved out last winter because the mold and water damage was affecting their health.

ACTION: Did not take Discretionary Review and approved demolition
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

14. 2002.0939D (R. CRAWFORD: (415) 558-6358)
727-729 MORAGA STREET - South side between Funston and 14th Avenues.
Assessor's Block 2036A Lot 006. Request for Discretionary Review of Building Permit
Application No. 2002 0117 7252, to construct a new two family dwelling on the vacant
lot. Independently accessible parking spaces will be provided by means of a parking
stacker in the RH-2 (Residential House, Two Family) District, and a 40-X Height and Bulk
District.
Preliminary Recommendation: Take Discretionary Review and Approve the Project with
Modifications

SPEAKER(S):

(-) Rachel Lau – Discretionary Review Requestor

- She and several of her neighbors have met with the project sponsor but have been unsuccessful in dealing with her issues.
- She is concerned with the following: the proposed building will block light to their home; it will affect her and her neighbor's privacy, and there are discrepancies in the plans. The height of the building makes it too much taller than the adjacent homes.
- She requests that the building be reduced in height and that there be no roof deck parapet or solid wall.

(-) Martin Bloch

- The proposed building is out of scale and out of character. It towers as much as 24 feet above the neighboring homes and will block sunlight to the surrounding homes.

(-) Dr. Steven Muchnick

- There will be two units and seven bedrooms in the proposed structure, causing more traffic on that street.
- There are no parking spaces available on that block so there is no space for additional parking.
- Blocking the Moraga steps will be an impact because there are many people who use those steps.

(-) Jose Escobar

- He and his family live on Moraga.
- He has lived there for over 40 years.
- The proposed structure will block light, disrupt his privacy and be a negative impact on he and his family.
- He asks that the Commission allow staff's recommendation and modify the project.

(+) Alex Varun – Project Sponsor

- He described various architectural and height aspects of the homes in the neighborhood.
- The proposed building will not affect the adjacent buildings because they are higher.

ACTION: Recused Commissioner Boyd
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee
ABSENT: W. Lee

ACTION: Take Discretionary Review and Approve Project with Modifications:
a) The top floor shall be deleted from the plan.
b) The rear extension into the required rear yard shall be deleted from the plan.

- c) The proposed parking stacker shall provide independently accessible parking for two cars.
- d) A full bath shall not be permitted on the ground floor of the building. A half bath shall be permitted.
- e) The roof parapet on the sides and rear of the building shall not exceed 6 inches in height.
- f) A street tree shall be planted along the Moraga Street frontage.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee
 EXCUSED: Boyd
 ABSENT: W. Lee

15. 2003.0863D (R. CRAWFORD: (415) 558-6358)
555 VALLEY STREET - South side between Castro and Diamond Streets. Assessor's Block 7536 Lot 023. Request for Discretionary Review of Building Permit Application No. 2003 04.24 3036, to construct a 37 foot long, four story addition to the rear of the existing 25 foot long, three story single family dwelling in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review, and approve Building Permit Application as submitted.

SPEAKER(S):
Dr. Allen Kessler

- He contacted the project sponsor to trim the tree he had in his yard and he agreed.
- The current plan dominates adjacent properties; it will create an intrusion and will block light and air.

(-) Richard E. Peterson

- He owns three lots and lives in a cottage on one of these lots.
- The fact that this structure does not extend into the middle open space is not correct.
- This structure is out of character with the structures on that block.
- The center of the block is open both when looking up on Castro and looking down from Diamond Street.

(+) Steve Johnston – Project Architect

- He submitted a petition with signatures that are in support of his project.
- The project sponsor would like to live on the same floor as their children.
- The building will not be built to the maximum allowed from the Planning Code.
- He has been an architect in Noe Valley and this is the first time he is before the Commission. This is because his clients have done what he recommends.

(+) Claran Woods

- He and his wife live in a small two-bedroom apartment.
- The house is located in a nice and quiet cul-de-sac.
- He does not want to have any problems with his neighbors.
- He hopes that the Commission will approve the project.

ACTION: Public hearing closed. Item continued to October 16, 2003 requiring better plans of the surrounding area.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
 ABSENT: W. Lee

16. 2003.0965D (G. CABREROS: (415) 558-6169)
510 BELVEDERE STREET - east side between Alma and Rivoli Streets; Lot 063 in Assessor's Block 1279 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions of Demolition Permit Application No. 2003.04.03.1372, proposing the demolition of a two-story, single-family residence within an RH-2 (Residential House, Two-Family) District and a 40-X Height and

Bulk District. A four-story (three-stories plus a penthouse), single-family residence replacement building is proposed under a separate application.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S):

David Silverman – Representing Project Sponsor

- None of the neighbors filed a Discretionary Review. Neighbors were invited to view the plans and details of the project and everyone who was invited agreed to the demolition.

- The new single family home will have three bedrooms as opposed to the one bedroom they currently have.

- The design provides for setbacks in all directions.

- The project will enhance the neighborhood.

- The project is fully compliant and satisfies the demolition criteria.

- The project architect and the owner are here if there are any questions.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee

NAYES: Feldstein

ABSENT: W. Lee

17. 2003.0859D (M. LUELLEN: (415) 558-6478)
643 GREENWICH STREET – south side, between Powell and Stockton Streets, Lot 026 in Assessor's Block 0089 - Discretionary Review request, for a building permit (No. 2002.11.27.2429) to allow the addition of a full third floor and smaller fourth floor to the existing residence. The existing building is a one-story, single-family dwelling over garage, with frontage on Greenwich. A second structure at the rear of the lot is to remain as is and is not part of this project scope. The property is located in the RM-3 (Mixed-Residential, Medium Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the permit application.

SPEAKER(S): None

ACTION: Without hearing, continued to October 16, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: W. Lee

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Judy Berkowitz

Re: Housing Element Scheduled for October 9, 1003:

- The advertising states that all departmental information will be begin at 5:00 p.m.
- She requested that public testimony start at 5:00 p.m. and all other matters begin at 1:30 p.m.
- Several times in the staff response it instructs us to check the memorandum, but there is no memorandum in the document.
- She requested that she receive this memorandum prior to the hearing of October 9, 2003.

Adjournment: **9:56 p.m.**

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 9, 2003.

SPEAKERS: None
ACTION: Approved as Corrected
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
EXCUSED: W. Lee

6F
: 55
#10
0/2/03
Special
joint

**SAN FRANCISCO
PLANNING COMMISSION
&
TREASURE ISLAND DEVELOPMENT
AUTHORITY**

Meeting Minutes

**Special Joint Meeting
Board of Supervisors Chambers - Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, October 2, 2003
12:30 PM**

DOCUMENTS DEPT.

OCT 24 2003

SAN FRANCISCO
PUBLIC LIBRARY

PLANNING COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell; Edgar E. Boyd, Lisa Feldstein; Kevin Hughes; Sue Lee; William L. Lee

TREASURE ISLAND COMMISSIONERS PRESENT: Claudine Cheng; William Fazande; John Elberling; Susan Po-Rufino

THE MEETING WAS CALLED TO ORDER BY PLANNING COMMISSION PRESIDENT BRADFORD BELL AT 12:35 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Kate Stacey -- Deputy City Attorney; Ann Marie Conroy – Treasure Island Development Authority; Steven Crown – Deputy Director, Treasure Island Development Authority; Rick Cooper, Patricia Gerber – Executive Secretary; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. SPECIAL CALENDAR

1994.448E

(R. COOPER: (415) 558-5974)

TRANSFER AND REUSE OF NAVAL STATION TREASURE ISLAND - Joint Public Hearing by the Planning Commission and the Treasure Island Development Authority on the Draft Environmental Impact Report (DEIR). The DEIR evaluates the potential environmental impacts of the reuse of most of Naval Station Treasure Island (NSTI) following transfer from the U.S. Navy. NSTI includes both Yerba Buena Island and Treasure Island, located in Central San Francisco Bay, within the jurisdictional boundaries of the City and County of San Francisco. The proposed project is the Reuse Plan for NSTI (1996), which includes a variety of public oriented uses such as an expanded marina in Clipper Cove, sports fields, a film production center, conference

center, hotels, a themed attraction, educational and child care facilities, a fire fighter training school, public open space, and up to 2,800 housing units. The Navy has published a separate Final Environmental Impact Statement evaluating the potential environmental effects of the disposal and reuse of NSTI to comply with Federal requirements.

Preliminary Recommendation: No Action Required

Note: The deadline for the submittal of written comments has been extended to 5:00 pm on October 21, 2003.

SPEAKER(S):

Karen Knowles-Pierce – Treasure Island Development Authority

- She thanked the Commission for scheduling this hearing today.
- Her concern is for a type of bird in the Falcon species and the impact this project will have on them. The EIR states that there will be less than significant impacts on these Falcons.
- Pedestrian and bicycle facilities should be provided.
- In the EIR there is a statement that mentions the sale of property to private owners. This language should be changed to state that there would be no sales to private owners.
- Traffic concerns especially during peak hours should be looked at closely.
- Lack of public transportation is a concern.
- There will be significant impacts that cannot be mitigated.

Susan Bryan – Alliance for a Better District 6

- She is concerned about the health of residents during construction and what measures will be taken to minimize these concerns.
- There should be strict adherence to standards.
- She is concerned about insurance problems for homes built on soils prone to liquefaction.
- Public transportation will be very difficult.

Eve Bach – Arc Ecology

- She thanked the MEA staff for their work on this EIR.
- If the goals and policies are not put in the redevelopment plan as a requirement then the EIR does not describe the plan properly.
- This EIR is supposed to provide project level review of the Marina project and there is almost no information on this.

ACTION: None. This hearing was held only to receive public comment and comments from the Commissions.

B. PUBLIC COMMENT

At this time, members of the public may address the Joint Commission on items of interest to the public that are within the subject matter jurisdiction of these Commissions except agenda items. With respect to agenda items, your opportunity to address these Commissions will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

None.

Adjournment: 1:15 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 16, 2003.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

F
55
10
0/2/03

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Board of Supervisors Chambers - Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place

Thursday, October 2, 2003

2:30 PM

Regular Meeting

DOCUMENTS DEPT.

OCT 24 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Lisa Feldstein,
Kevin Hughes, Sue Lee William L. Lee William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 2:44 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning
Administrator; Judy Boyajian - Deputy City Attorney; Miriam Chion, Teresa Ojeda, Nora Priego –
Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2003.0193D (R. CRAWFORD: (415) 558-6358)
244 GRANADA AVENUE - east side between Ocean and Holloway Avenues. Assessor's Block 6942 Lot 039 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 2002.1028.0113, to demolish the existing one family house, in an RH-2 (Residential House, Two Family) District, and a 40-X Height and Bulk District. There is a related proposal to construct a new two-family building.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Demolition Permit.
(Continued from Regular Meeting of August 21, 2003)
(Proposed for Continuance to ~~October 16, 2003~~ November 6, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 6, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 2a. 2002.0628EIKXCV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Review under Planning Code Section 309 and for exceptions, to construct a new building approximately 23 stories and 235 feet in height, with a gross area approximately 497,000 square feet, containing approximately 246 dwelling units and 5400 square feet of ground floor retail, and a parking garage, to replace an existing surface-level parking lot containing 168 spaces. The site is in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts. The project is the subject of a concurrent hearing for a Conditional Use authorization.
Preliminary Recommendation: Approval
(Proposed for Continuance to October 23, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to October 23, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 2b. 2002.0628EIKXCQ (J. MILLER: (415) 558-6344)
1160 MISSION STREET, northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Request for authorization of Conditional Use for a public storage garage for passenger vehicles (Planning Code Section 223(m)), in conjunction with construction of a new, 23-story residential building, replacing a surface-level parking lot containing 168 spaces with a residential apartment building 23 stories in height and approximately 497,000 gross square feet in size. in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts.
Preliminary recommendation: Approval with Conditions
(Proposed for Continuance to October 23, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to October 23, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 2c. 2002.0628EIKXCV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 in a C-3-G (Downtown General Commercial) District, and in 150-S and 240-S Height and Bulk Districts. DWELLING UNIT EXPOSURE VARIANCE SOUGHT: The proposal is to construct a new 246-unit, 23-story residential building with a 504-space parking garage. Up to 180 of these dwelling units are to be side facing (without direct frontage on a street, a complying rear-yard area, or other open area with sufficient minimum dimensions to comply with Planning Code Section 140)
(Proposed for Continuance to October 23, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to October 23, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption of draft minutes of August 21, 2003 (Continued from Regular Meeting of September 25, 2003); September 11 and 18, 2003.

Minutes of August 21, 2003:

SPEAKER(S): None

ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, W. Lee
EXCUSED: Feldstein, Hughes, S. Lee

Minutes of September 11, 2003:

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee
EXCUSED: Feldstein

Minutes of September 18, 2003:

SPEAKER(S):
ACTION: Approved with Corrections:
1. Page 5, Item No. 9 – third bullet states that there was a vote from the BOS +7-0 and it should be +7-3;
2. Page 11, the action for item 10 states to extend the hours of operation originally 10:00 a.m. to 2:30 a.m. to 10:00 a.m. to 3:30 a.m. – this should actually be 10:00 a.m. to 3:30 p.m.
AYES: Antonini, Bradford Bell, Hughes, Feldstein, S. Lee, W. Lee
EXCUSED: Boyd

4. Commission Comments/Questions

Commissioner Feldstein:

Re: Correction to the Action List

- Last week she requested information on fees for Discretionary Reviews and requested staff to try to move ahead with whatever action needs to be taken on programmatic EIRs and to reimburse the Department for development in these areas.

Re: Non Profit Housing Association of Northern California Inclusionary Zoning Survey

- She requested last week that she and all Commissioners receive this information.

Miriam Chion of staff responded to Commissioner Feldstein's Request:

- She will provide copies of the Non Profit Housing Association of Northern California Inclusionary Zoning Survey to all Commissioners.

Re: October 1, 2003 – Performance Measures and Customer Service Plan

- Commissioner Bill Lee mentioned that performance measures and a customer service plan must be complete from all departments by October 1, 2003.

- She requested that this information be available to all Commissioners as soon as possible.

Commissioner Antonini:

Re: Housing Element

- Members of the public have expressed concerns to him about the length of the staff's presentation on 10/9. He would like the Acting Director to comment on this.
- He has not received the memorandum referenced in the draft housing element.
- Next week he would like to have a discussion on the document Commissioner Feldstein referenced.

Commissioner Bradford Bell responded to Commissioner Antonini's requested:

- The way the calendar will be presented next week is as follows:
Discretionary Review Policy presentation will be calendared during the Regular Calendar at 1:30 p.m. The Housing Element will not be scheduled to start before 5:00 p.m.

Commissioner Hughes:*Re: Time Utilization regarding demolition reports*

- He requested that over the next three or four weeks Commissioners think of what would be a good methodology or median standard to set the bar on for exceptions to, or on what does not have to be met in a soundness report. He believes this would go a long way to assist with time utilization.

Commissioner Bill Lee:*Re: Work Plan and Budget*

- He was not here last week so he did not receive this information.
- He requested to receive, as well as all Commissioners, a printout of the expenditures and costs. This information should be provided to Commissioners quarterly. This would provide an opportunity for Commissioners to track the budget from now until next year. If there are proposed budget cuts, with this information the Commission could support the department in the appropriate areas.

Re: Secondary Unit Legislation from the State

- The State is looking to supercede the secondary units legislation through all the counties. The League of California Cities and SESAC has asked cities to weigh in on these items. He requested that this information be provided to Commissioners.

Commissioner Bradford Bell:*Re: Staggered Meeting Scheduled*

- She requested that the Commission discuss this issue.

Commission Secretary:*Re: Staggered Meeting Schedule*

- The Commission has had a chance to weigh the pros and cons of scheduling different types of cases on alternating hearing dates. Staff wants to know how to proceed for the remainder of this year. Do they go back to scheduling all types of cases on all hearing dates or do they continue with the alternating schedule?
- She informed the Commission of the heavy hearing schedule for their Oct. 16 hearing. She recommended that the meeting start at 12:30 p.m. and schedule the Eastern Neighborhoods item to not start before 6:00 p.m.

Re: Vacation Schedules

- She requested that Commissioners let her know their vacation schedules as soon as possible so she can determine if there will be any quorum problems.

C. DIRECTOR'S REPORT**5. Director's Announcements***Re: Housing Element*

Teresa Ojeda from staff presented the following documents:

- 1) Memorandum summarizing the concerns they have received regarding the Housing Element. These concerns are from the public and Commissioners. The memorandum also provides a summary from staff of these concerns.
- 2) Set of slides of maps and diagrams that are the overlays requested by Commissioner Bill Lee.
- 3) Letters from the Mayors Office of Housing and the Redevelopment Agency that provides information on the financial implications of not having a Housing Element.

All these documents will be available at the department and will be available online.

On the day of the hearing, the agenda will be as follows:

- 1) Staff will start with a short presentation providing an overview of the public input they have received and how they have addressed these concerns.
- 2) A description of the process of adoption and approval and certification of the Housing Element. All of this should not take more than 10 minutes.

If the Commission has any instructions, they should convey them by Monday.

Acting Director gave the following report:

Re: Question Commissioner Hughes raised regarding criteria used to determine whether a project is affordable or not and if not should it be brought before the Commission:

- The majority of the Commission felt that if a project is not affordable it should not be brought before the Commission.
- The criteria used is for one-to-three family housing is 80 percent of the median income which calculates to \$1.2 million. If the existing housing that is being demolished is \$1.2 million dollars or more, the project is reviewed at staff level and decides it.
- Should the single family to three family median housing index or should the median housing index for the entire city be used? The single family to triple family medium housing price results in an affordability cut off at 1.2 million while the average medium price for housing as a whole results in approximately 9.3 million.

Re: Programmatic EIRs:

- He is working with the City Attorney on this already.
- Paul Maltzer met with the City Attorney on this last Friday.
- He believes that State law allows you to collect money when a project has been put forth.

Re: Full Recovery of DRs:

- There was a question on full recovery of DRs.
- Last week, this was discussed during our budget item.
- Staff is proceeding with the City Attorney on this to understand what to do with applications; to provide proper notice to applicants upfront that the Department is seeking full recovery and identify what charges are. The portion of the Planning Code that allows reduction of fees due to limited income or non-profit status will also be noticed.

Re: Next Week's Calendar:

- He informed the Commission that the DR Policy item on calendar next week will also seek to allow an initiation of an administrative review and decision process.

6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –

Land Use Committee:

The Land Use Committee which consists of Supervisors McGoldrick, Maxwell, and Ammiano, met this past Monday (September 29, 2003) and considered a couple of minor Planning related items:

[Lot Line Selection for Vacant Lots Abutting Two or More Streets]

It heard Supervisor McGoldrick's Ordinance amending Planning Code section 130 dealing with lot lines. The item was passed out to the full board on a 3-0 vote.

[Planning Code Amendment--Mining Exchange Building Setback]

The Committee approved an Amendment to Appendix B of Article 11 of the Planning Code that is required for this Project at 350 Bush Street to allow a setback of a minimum of 30 feet instead of 60 feet over the Mining Exchange

Building. The building was sculpted with the 30 foot setback in order to maintain the view of the Russ Building Courtyard).

[Seawall Lot 330]

Approved a General Plan Amendment as well as a Zoning Map Amendment in connection with Seawall Lot 330.

Full Board of Supervisors Meeting – September 29, 2003:

The Board voted on a motion by Supervisor Daly creating a City Planning Audit Select Committee to review and implement recommendations of the Budget Analyst's Management Audit of the Planning Department for the Board of Supervisors in June 2002. This select audits committee is expected to meet for 120 days, or 4 months from its initial meeting. Board President Matt Gonzalez appoints 3 members of the Board of Supervisors to this select committee.

(It is important to note that Department staff have taken steps to examine and address the recommendations of the audit, and President Bradford Bell called for a hearing before this Commission next month to examine the audit. I recommend that the Commission hear this matter and submit its recommendations to the Board of Supervisors' select committee for their consideration. We look forward to a process of working closely with members of the Board of Supervisors to examine the recommendations of the audit.

Appeals

- No appeals before the full board until Tuesday, October 21, when the Board will consider 2 items:

- Appeal of a CU authorization for 6 Verizon antennas at 5630 Mission Street (Gonzalez, Daly, Peskin, Sandoval and McGoldrick).
- EIR appeals for the projects at 201 Folsom/300 Spear Streets.

Note: He placed in the Commissioner's packet for next week's meeting a communication that includes recently introduced legislation by members of the Board of Supervisors. Commissioner Sue Lee made this request to provide the Commissioners Planning-related legislation by members of the Board. This will provide more time to study the many pieces of legislation before they are brought before the Commission for recommendation. This will become a regular part of the weekly information packets from staff.

BOA –

Re: 473 Leland Avenue

- This project was a demolition which the Commission denied.
- The Board took a vote of +4-1 to allow the demolition.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

RE: 400-410 Vallejo Street

Adam Woleski

- When he took the opportunity to purchase this property, he hoped that following the guidelines the City required, he would be allowed the conversion of his property.
- He hopes that the Commission will make his dream a reality.

Andy Sirkin

- He has worked on this conversion for the project sponsor.
- He reviewed the tapes of the previous Commission hearing and during that time there was more discussion on what was submitted instead of the merits of the project.
- The owners have nothing to hide and have provided all the materials he thought were necessary.
- All of the owners are first-time homebuyers and are not developers.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

7. 2002.1144C (G. NELSON: (415) 558-6257)
821 LA PLAYA (aka 800 GREAT HIGHWAY) - between Great Highway and La Playa at the intersection of Cabrillo Street; Lot 004 in Assessor's Block 1692 - Request for Conditional Use authorization pursuant to Section 710.83, of the Planning Code to install two cellular antennas and one related equipment cabinet on the roof of a commercial structure (Wise Surf Shop) for Verizon, within an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. The proposed antennas would be within the existing parapet and penthouse wall on the roof of the structure, and the related equipment would be located on the roof below the level of the parapet. Neither the antennas nor the equipment would be visible from below or any neighboring property. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 6 (limited preference site) as it is located in an NC-1 District.
Preliminary Recommendation: Approval with conditions.
NOTE: On July 17, 2003, following public testimony, the Commission closed public hearing and passed a motion of intent to disapprove by a vote +5 -0. Commissioners Boyd and Feldstein were absent. Final Language scheduled for August 21, 2003. On August 21, 2003, without a hearing the Commission continued this matter to October 2, 2003.
(Continued from Regular Meeting of August 21, 2002)

SPEAKER(S): None
ACTION: Project Disapproved
Note: Commissioners Boyd and Feldstein stated that they received project material and are prepared to vote.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
MOTION: 16668

8. 2003.0446Q (J. MILLER: (415) 558-6344)
400 - 410 VALLEJO STREET - northeast corner at Montgomery Street, Lot 11 in Assessor's Block 133 - Public hearing to determine consistency with the General Plan of a proposed six-unit Condominium-Conversion Subdivision, in an RH-3 (House, Three-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval is consistent
(Continued from Regular Meeting of September 25, 2003)
NOTE: On July 17, 2003, following public testimony, the Commission closed public hearing and continued the matter to September 25, 2003. On September 25, 2003, without a public hearing, the Commission continued this matter to October 2, 2003.

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee
MOTION: 16669

9. 2002.1105C (T. TAM: (415) 558-6325)
4039 18TH STREET - south side between Hartford and Noe Streets, Lot 81 in Assessor's Block 3583 - Request for a Conditional Use Authorization pursuant to Planning Code Sections 186, 715, and 151, to allow (1) conversion of an existing nonconforming large fast-food restaurant (Hot n' Hunky's) to a full-service restaurant, (2) demolition of an existing two-bedroom unit on the second floor, and (3) addition of one new dwelling unit without providing any off-street parking. The property is in the Castro Street Neighborhood Commercial District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of September 18, 2003).
NOTE: On August 28, 2003, following public testimony, the Commission closed the public hearing and passed a motion of intent to approve the restaurant conversion, but not the residential conversion by a vote +4 -1. Commissioner William Lee voted no. Commissioners Feldstein and Sue Lee were absent. Final language September 11, 2003. On September 11, 2003, without further hearing, the Commission continued this matter to October 2, 2003.

SPEAKER(S):

(+) Pornchai "Tom" Hutachinda

- He hopes that the Commission will approve this conversion.

(+) Alan Toma – Design Studio

- He was given wrong information that was therefore misleading.

- Since the meeting in August, they have gone through negotiations with the tenants.

- He hopes that the Commission will approve their project.

(+) Alex Blanhard

- He had entered into negotiations with the tenant and is moving out this weekend.

- There were a few roadblocks, but they have been taken care of.

(+) Ana Martinez

- The owner has taken care of the tenants' interest and is helping them move out.

- This neighborhood has been really good to them.

ACTION:

Approved

Note: Commissioners Feldstein and S. Lee stated that they received project material and are prepared to vote.

AYES:

Antonini, Bradford Bell, Boyd, Hughes, W. Lee

NAYES:

Feldstein and Hughes

MOTION:

16670

F. REGULAR CALENDAR

10. 2003.0091AC (T. TAM: (415) 558-6325)
333 DOLORES STREET - east side between 16th and 17th Streets; Lot 57 in Assessor's Block 3567 - Request for a Conditional Use authorization pursuant to Planning Code Sections 209 and to allow the expansion of an existing institutional use (Children's Day School), located on a portion of a designated city landmark (Landmark No. 137). The proposal is to construct three (3) 24' x 40' temporary prefabricated classroom trailers. The Certificate of Appropriateness for this project was heard before the Landmark Preservation Advisory Board on September 17, 2003 and approved by the Planning Director on September 29, 2003. The property is located in RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION:

Without hearing, item continued to November 6, 2003.

AYES:

Antonini, Bradford Bell, Boyd, Hughes, Feldstein, S. Lee, W. Lee

11. 2001.0911R (S. SHOTLAND: (415) 558-6308)
GOLDEN GATE PARK CONCOURSE AUTHORITY PROJECTS - Portion of Lot 001 in Assessor's Block 1700 - Consideration of California Environmental Quality Act Findings and General Plan conformity of the proposed Golden Gate Park Music Concourse Projects, pursuant to Section 4.105 of the San Francisco Charter and Section 2A.53 of the San Francisco Administrative Code. The Project includes a ground lease to the Music Concourse Community Partnership ("MCCP") of a portion of lot 001 in Assessor's Block 1700 in Golden Gate Park, located in the vicinity of the Music Concourse, primarily between the De Young Museum and the Academy of Sciences, issuance of revenue bonds to facilitate the financing and construction of an underground parking facility at the Golden Gate Park Music Concourse, as contemplated by Proposition J, approved by City voters in June 1998. Debt service on the Bonds would be paid from revenues generated by the operation of the parking facility and MCCP's philanthropic fundraising programs. In addition to the ground lease and financing proposal, the Golden Gate Park Concourse Authority, the Project Sponsor, is seeking the approvals necessary for the construction of a new underground parking facility and associated surface improvements in the Golden Gate Park Music Concourse and certain Transportation Implementation Plan ("TIP") Elements in Golden Gate Park. The underground parking facility would contain approximately 800 spaces at the Music Concourse. The Project proposes to incorporate surface transportation improvements in the Concourse area, and throughout Golden Gate Park, including removal of approximately 200 parking spaces from the Music Concourse area and a total of 800 surface parking spaces from Golden Gate Park, after construction is completed. The underground parking facility would be generally located under the existing Tea Garden Drive and Music Concourse Drive in Golden Gate Park, directly adjacent to the New de Young Museum to the north and directly adjacent to the Academy of Science to the south, in a P (Public) District and an OS (Open Space) Height and Bulk District. (Action by the Planning Commission)
 Preliminary Recommendation: Find that the Project is, on balance, in-conformity with the General Plan with conditions.

SPEAKER(S):

(+) Gordon Chong – Project Architect

- He gave a PowerPoint presentation on the architectural merits of the project.

(-) Chris Duderstadt

- There are two variances proposed which will remove parking.
- This is significant because it will show the impact on the streets around the park.
- He displayed a chart of the traffic flow (cars/hr) into the Park at different hours and different streets that go into the park.
- If Prop J were implemented it would help with impacts on the traffic.

(+) Jim Chappell – President of SPUR

- He thanked staff on an extremely clear and helpful document.
- SPUR strongly supports this project.
- The parking for this project will be underground and will enhance the park.
- The project is in compliance with the General Plan.
- Is it in compliance with Prop J? Yes.
- The Concourse will be dramatically better as a recreation area.

(+) Ron Miguel – President of the Planning Association of the Richmond

- He has read the report and this project is in conformity with the General Plan.
- The EIR wants to have the underground parking to enhance the park and it has done the job very well.

(+) Lou Blazej

- This project is subject to and based on Prop J.
- The Master Plan should be amended and not the project.
- He urges the Commission to support this project and find it in conformity with the General Plan.

(+) Michael Burke

- The service level at the intersections will meet satisfactory standards.
- There will be no need for people to leave the park and then reenter in order to enter the garage.
- The ultimate gift to the City will be \$142.8 million dollars.
- There will be a shuttle that will become permanent.

ACTION: Project Found to Conform to General Plan
 AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee
 NAYES: Feldstein
 MOTION: 16671

12. 2003.0766TZ (P. LORD: (415) 558-6311)
DIVISADERO STREET ALCOHOL RESTRICTED USE DISTRICT - Consideration of an Ordinance adding Section 783 to the Planning Code to create a Divisadero Street Alcohol Restricted Use District prohibiting liquor establishments and regulating existing non-conforming liquor establishments; amending Zoning Map Sheets 2SU and 7SU of the City and County of San Francisco to indicate the boundaries of the Divisadero Street Alcohol Restricted Use District, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
 Preliminary Recommendation: Approval

SPEAKER(S):**(+) Amy Laitinen – Legislative Assistant for Supervisor Matt Gonzalez's office**

- Residents in the area have been concerned about liquor store in the area.
- There is about a 13-block area that has about 11 liquor stores.
- The Police Department in this area is very supportive of this legislation.
- 90 Days seems to be a reasonable period for turnover of liquor issues.

ACTION: Approved with Amendments to include the following language:
 BE IT FURTHER RESOLVED THAT, the Commission hereby recommends modifications to the proposed ordinance to:

- 1) Exempt from these proposed controls the previously approved mixed use project at Fell Street and Broderick Street, ground floor retail (including a full service grocery store) with residential above, on Assessor's Block 1215, Lot 011.
- 2) To remove the reference to "90 days" on line 7, page 4 of the draft ordinance and include language that specifies temporary closure for remodeling for "so long as construction is proceeding diligently to completion."

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee
 NAYES: Feldstein
 RESOLUTION: 16672

13. 2003.0801TZ (P. LORD: (415) 558-6311)
NORTHEAST WATERFRONT SPECIAL SIGN DISTRICT - Consideration of an Ordinance amending the San Francisco Planning Code by creating Section 608.15 to establish the Northeast Waterfront Special Sign District, creating Section 609.14 to address amortization of non-conforming signs in this District, amending Section 608 and Article 10, Appendix D, Section 7 to be consistent with this Ordinance, amending the Zoning Map Sectional Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and the priority policies of Planning code Section 101.1.
 Preliminary Recommendation: Approval

SPEAKER(S):

(+) David Owen – Legislative Assistant Supervisor Peskin

- This legislation would help to preserve and maintain the characteristics of this historic district.
- He is available for questions.

(+) Jennifer Sobol – Port of San Francisco

- She submitted a letter from Byron Rhett, Director of Planning and Development from the Port of San Francisco with corrections to the legislation.
- She apologized for the lateness of the revisions but they just found out about it.
- There would be language revision to Section 608.15(b)(4); Section 608.15(b)(6); Section 608.15(b)(5); and Section 604.2.

(-) Gerry Crowley – Telegraph Hill Dwellers

- For 50 years she has been participating in planning issues at the waterfront.
- To make it consistent with the Jackson Square Special Sign District, there should be language in this ordinance to have lighting be subtle in the waterfront.
- She cannot support changes to the ordinance for a project that has not been approved yet.
- The Ferry Building is very well lighted.

ACTION: Approved with Amendments to include the following language:
THEREFORE BE IT FURTHER RESOLVED, that the Planning Commission having heard public testimony, including comments from the Port of San Francisco as detailed in their October 2, 2003 letter to the San Francisco Planning Commission, recommends that the Board of Supervisors consider modifications to the draft ordinance that are within and not exceeding the general scope of the Port's October 2, 2003 recommendations.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16673

14. 2002.0804C (J. IONIN: (415) 558-6309)
1212 GEARY BOULEVARD - A.K.A. 1200-1210 GEARY BOULEVARD - Lot 002 in Assessor's Block 0696 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install a total of three antennas and related equipment for Sprint PCS. One antenna is proposed to be facade mounted and the other two are to be mounted in a new steeple, approximately 90-feet tall, of an existing church, within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 130-E Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 1, as it is a place of worship in an NC-3 District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):**(+) Jennifer Estes – Representing Sprint PCS**

- Se thanked staff for helping her out with some scheduling conflicts.
- This facility does comply with the guidelines.
- It will operate over 450 times below the Federal Communications Emissions Guidelines.
- This site will help the community and is unobtrusive.
- They mailed over 1,900 notices.
- Two people attended the community meetings and there was only one phone call.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

NAYES: Feldstein

MOTION: 16674

- 15a. 2002.0605CV

(J. IONIN: (415) 558-6309)

4614-4630 CALIFORNIA STREET - "The St. James Episcopal Church and Pre-School"; Lot 049 in Assessor's Block 1368 - Request for Conditional Use authorization pursuant to Section 209.3(f) & (j) of the Planning Code to allow for the demolition of existing structures and construction of a new building for the St. James Episcopal Church administrative facilities, offices for non-profit counseling accessory to the church-related services, and a child-care facility providing less than 24-hour care for 13 or more children by licensed personnel within an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions.

SPEAKER(S): None

ACTION: Without hearing, item continued to December 4, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 15b. 2002.0605CV (J. IONIN: (415) 558-6309)
4614-4630 CALIFORNIA STREET - Article 1.5 Section 150(b) of the Planning Code requires child care facilities to provide one independently accessible off-street parking space for every 25 children, where the number of such children exceeds 24. Section 150(d) requires that existing parking spaces be retained. The project proposes no new off-street parking spaces and the elimination of one off-street parking space where 1 is required (based on the existing deficiency). Article 1.2 Section 134 of the Planning Code requires a 45 percent rear yard, which can be reduced to 25 percent through averaging or 15 feet whichever is greater. The project proposes a 15 foot rear yard where 25 feet are required.

SPEAKER(S): None

ACTION: Without hearing, item continued to December 4, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 16a. 2002.0917CV (J. PURVIS: (415) 558-6354)
144 WAYLAND STREET - north side between Girard Street and San Bruno Avenue; Lot 018 in Assessor's Block 6048 - Request for Conditional Use Authorization under Planning Code Section 209.1(g) to add two dwelling units in space formerly occupied by a commercial store on this 4,500 square-foot lot, and requesting a rear yard variance to construct a garage within the rear yard, within an RH-2 (Residential, House, Two-Family) Use District with a 40-X Height and Bulk designation.
Preliminary Recommendation: Approval.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell

MOTION: 16675

- 16b. 2002.0917CV (J. PURVIS: (415) 558-6354)
144 WAYLAND STREET - north side between Girard Street and San Bruno Avenue; Lot 018 in Assessor's Block 6048 - Request for a Rear Yard Variance under Planning Code Section 134(c) to provide a one-car garage within the rear yard open space. The garage would be 21 feet x 10 feet with access from Wayland Street, within an RH-2 (Residential, House, Two-Family) Use District with a 40-X Height and Bulk designation.

SPEAKER(S): None

ACTION: Acting Zoning Administrator closed the public hearing and granted the variance.

17. 2003.0804C (J. PURVIS: (415) 558-6354)
901-933 BAYSHORE BOULEVARD - east side south of Silver Avenue; Lot 062 in Assessor's Block 5402 - Request for Conditional Use Authorization under Planning Code Section 303(e), to modify conditions imposed under Motion No. 16243, adopted by the Planning Commission on September 6, 2001, with regards to rental housing requirements, to allow the newly constructed 40 units of senior housing to be either rented or sold as condominiums, with all other conditions applying, within an NC-1 (Neighborhood Commercial Cluster) Use District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):

(+) Dan Sullivan – Representing Project Sponsor

- He is available to answer any questions.
- Staff has improved the motion and made it much clearer.
- The project sponsor accepts these conditions as they have been modified.

(-) (speaker's name unclear) – President of the Bay View/Hunter's Point Neighborhood Association.

- He feels that the project is too dense.
- The location is a very dangerous spot. Until there is some clarity on the safety of the area, this project should be held off. [It should be noted that the property identified by this speaker was not the one identified on calendar today. He acknowledged that he had the wrong address.]

ACTION: Approved with amendments: any sold BMR unit would have to meet the senior occupancy requirements.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16676

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 6:50 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 16, 2003.

SPEAKERS: None

ACTION: Approved as Corrected

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, October 9, 2003
1:30 PM
Regular Meeting**

DOCUMENTS DEPT.

NOV - 3 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Lisa Feldstein,
Kevin Hughes, Sue Lee William L. Lee William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:35 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning/Acting Zoning Administrator; Judy Boyajian - Deputy City Attorney; Jonas Ionin; Amit Ghosh; Teresa Ojeda; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

B. COMMISSIONERS' QUESTIONS AND MATTERS

1. Consideration of Adoption – Draft Minutes of September 25, 2003.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

EXCUSED: W. Lee

2. Commission Comments/Questions

Commissioner Bill Lee

Re: Department of Building Inspection

- There is an overlap between the Planning Department and the Department of Building Inspection regarding the notification process (311 and 312). He is looking for a way that

both departments can work together so that there is more of a transparency and smooth transition with approvals from both departments.

- He requested a joint hearing between the DBI and Planning Commissions.

Commissioner Bradford Bell:

- She agrees with Commissioner Bill Lee and would like to have a joint hearing our commission and the DBI Commission.

- She also suggested that we have a joint hearing with the Arts Commission. The Arts component of the General Plan has not been updated in many, many years.

Commissioner Antonini:

- He suggested having a joint hearing with the Board of Supervisors and/or Land Use Committee to expedite the process (land use applications) and eliminate as much duplication as possible.

C. DIRECTOR'S REPORT

3. Director's Announcements

Re: November 6, 2003:

- There will be a discussion of the demolition policy under Discretionary Reviews.

Re: Commissioner Bill Lee's comment on noticing under DBI:

- This is an item that will continue to be discussed because it is quite important for both departments.

Re: Requests to Staff that Result in Work Assignments from the Planning Commission:

- If the Commission has any requests for work they would like done by Department staff, or have questions that would constitute a staff work assignment, it is important that you make those types of requests or ask those questions of the Director or Acting Director. [Mr. Badiner read part of Charter Section 4.102 relative to powers and duties of Boards and Commissions.] It makes it easier for us [the Director or Acting Director] to understand your concerns and monitor staff work. It also avoids multiple direction and confusion for staff.

- As always, if a commissioner has a need for clarification on any particular project that is scheduled to come before them, they are welcome to contact the appropriate staff person.

**4. Review Past Week's Events at the Board of Supervisors (BOS)/Board of Appeals (BOA).
BOS – None**

BOA –

Re: 32 Rivali Street

- This was a third story addition to an existing two story house. The Commission did not take Discretionary Review. The DR requestor was concerned about scale and impact upon light and air. The BOA upheld the Commission's decision +5-0.

Re: 701 Lombard Street

- A Zoning Administrator (ZA) determination was issued regarding the height.

- The Commission did not take Discretionary Review. The appeal was on the ZA's letter of determination on the height. The BOA upheld the ZA determination +5-0.

D. REGULAR CALENDAR

5.

(J. IONIN: (415) 558-6309)

DISCRETIONARY REVIEW POLICY – Initiation of Intent to allow administrative review of some Discretionary Review cases, and to establish criteria for administrative discretionary review through amendment of Planning Code Sections 311 and 312.

Preliminary Recommendation: Adoption

(Continued from Regular Meeting of September 11, 2003)

SPEAKER(S):

(+/-) Terry Milne – Bernal Heights Design Review Board

- His committee agrees with the pre-application idea.
- His design review board acts in a similar way.
- Regarding the entire proposal, the board agrees that there is a need to have a Planning Commission meeting to deal with various types of Discretionary Reviews.
- Although it seems that the words light and air have become "buzz" words, they should be considered with more significance. The General Plan and the Planning Code call for mid-block open space. He believes that every little bit of back yard is precious.
- In the proposal there is no differentiation between residential characters.

(+/-) Katy Gough – Bernal Heights Neighborhood

- She has read the agendas and she noticed that there have been 193 DRs since November of 2002 and were not included in the Department's proposal. The Commission has decided on 126 cases, of these, 48 were mandatory – either demolition or mergers. Of those, all were automatically approved. The other cases included 34 percent that were denied or plans were modified either by the staff or by the Commission. Another 8 percent of the cases were withdrawn, some by the staff.
- The commission should deal with the problem of crowded agendas and overworked Planning staff by focusing on its policy of mandatory review instead of stripping the 10 percent of the cases that neighbors believe are significant to their quality of life.

(+/-) John Carney

- He believes that the Commission is doing a tremendous job even though he does not agree with everything they have approved or disapproved.
- He believes that time limits should be incorporated into this proposal.
- The right of appeal should be incorporated as well.

(+) Jeremy Paul

- There has always been an effort to reform Discretionary Review procedures. A lot of progress has been done with the current Commission and he encourages the Commission to continue doing a great job.

(+/-) Paul Wermer

- He emphasized the benefits and the need for the pre-application process that is being proposed.
- Communication with neighbors is marginal, at best.
- The pre-application process is great but it should be expanded to all noticed neighbors. This will be significant in reducing Discretionary Reviews.

(+/-) Marilou Lascari – Neighborhood Network

- She appreciates the time staff, Jonas Ionin, has been spending with many of her neighbors.
- The Network enthusiastically supports the pre-application process. This single step would significantly reduce the number of Discretionary Reviews brought before the Commission.
- She proposes a six-month trial of the pre-application process.
- If the pre-application process is as successful as she believes it will be, it will tremendously reduce the amount of time and work that staff needs to be involved.

(+/-) Ron Miguel - PAR

- As soon as the process is initiated, he will return to speak in more detail.
- He recommends that the Commission proceed with the agenda item.

(+/-) Daniela Kirshenbaum

- Communication is the key to ease the Discretionary Review process.

- She would like to continue working with Jonas Ionin and speak on things that need to be dealt with.

(+) Kate White – Housing Coalition

- She supports that the Commission move forward on this.
- Discretionary Reviews take a lot of the Commission's time.
- The Coalition believes that it makes a lot of sense to move Discretionary Reviews to a more administrative level.
- There needs to be an opportunity to deal with appeals as well.

(+/-) Donna Salazar – Community Boards

- She supports the pre-application process.
- A trial period of this would be a very good idea.
- Community Boards are more than happy to help the Commission with the process in any way.

(+/-) Dick Millet

- He thinks that the Commission is trying to close the door on the public.
- When 311 notices go out, it is important that these notices are legible.
- Some of the planners are not responsive to the requests of the public.
- The planners always say that the Discretionary Review requestor and Project Sponsors should deal with their differences without a middleman to help them through any questions.

(-) Marilyn Amini

- She did not obtain the proposal until last Wednesday so there was not enough time for the public to respond in writing and allow the Commission time to review this.
- She hopes that there will not be administrative review of Discretionary Reviews.
- If there were a successful pre-application process in the San Mateo County area then it would be good to adopt it. But there are still cases that cannot be solved at that level.
- Establishing clear criteria communicated before the Discretionary Review process would be a good idea.

ACTION: Approved Initiation

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16675

5:00 P.M.

6. 2000.465M (T. OJEDA: (415) 558-6251)
HOUSING ELEMENT OF THE GENERAL PLAN - The fourth public hearing on the City's Housing Element of the General Plan is scheduled before the Planning Commission on October 9, 2003. The Planning Department will summarize Planning Commission and other public comments, offer staff response to these comments, and provide the Commission information on next steps towards the adoption of the Housing Element. Preliminary Recommendation: Direct Staff to Commence Environmental Review. (First Public hearing held on May 1, 2003, continued to second public hearing held on June 5, 2003 and third public hearing on July 21, 2003.)

SPEAKER(S):

Jeremy Paul

- He spoke on the breakdown between policy and practice.
- This is a core environmental issue.
- There are neighborhoods that are fighting any type of density.
- Many people are moving away from San Francisco. The housing responsibility needs to be taken very seriously.
- Housing needs to be created. This document takes a great deal of thought and it should be passed.

Paul Wermer

- This is not a zoning document but a template on what zoning will be based on.
- This document tries to address a lot of issues, but he is concerned that the document is extremely vague and has contradictions.
- There are assumptions of a land use element that is not written.
- One of the great things about this city is its neighborhoods, and this document does not state anything about neighborhood character.

Maria Souza – PAR – Richmond District

- She thanked everyone for contributing all the comments on this document.
- The September 18 draft is not very different than the February 2002 draft.
- She is not opposed to the policies on affordable housing.
- Policies are not needed to advance market rate housing. Policies are needed to advance affordable housing.

Kate White – Housing Action Coalition

- She urges the Commission to direct the Planning staff to start environmental review.
- San Francisco can house low-income to moderate income as well as people from different countries.
- There has been a lot of phobia and hysteria about this housing element.
- This document is the housing element and not the parking element.
- San Francisco is a transit first city and housing for people should come before cars.

Charlotte Maeck – Pacific Heights

- She understands that this document is a policy. It will not become a rule.
- San Francisco needs a policy and a practice.
- She thanked Commissioner Antonini for raising questions on this issue.

Barbara Austin – Francisco Heights

- The housing element is an ill-defined document.
- There are many questions and comments that have not been included in this document.

Joan Mettler – Glen Park

- She urges the Commission not to approve the policies of the Housing Element that would allow secondary units to be built, especially in single family housing, without the requirement of one parking space per one housing unit. Nor to allow new housing to be built near transit streets without the one garage space requirement for one housing unit.

Bob Bardell – Golden Gate Valley Neighborhood Association

- He opposes those changes to the housing element that negatively impacts neighborhoods and neighborhood character.
- He urges the Commission to retain the present language on secondary units.

Peter O'Hara – Cow Hollow

- The statistical data in the housing element is dated and does not reflect the current information related to San Francisco.
- Without a valid data base it is reckless to allow this document to pass.
- It is far better to forego state and federal funding than pass something that will not lead to good housing.
- Even if the funding is received, the City is stuck with bad housing.
- The right type of housing is necessary for San Francisco.

Jeff Hagan – President of Francisco Heights Neighborhood Association

- There are many, many people that are leaving San Francisco.
- Little or no notice or outreach has been done.
- For the sake of funding, this document is being rushed. This is not adequate because of the many people it will affect.

Rich Wornor – Jordan Park

- He submitted more than 100 letters of residents of San Francisco who oppose this document.
- The Planning Code was finally changed in 1972.
- Neighborhoods need to maintain their character and parking should not be changed.

Libby Benedict – Vice President of the Francisco Heights Neighborhood Association

- San Francisco was built on a human scale. It is not a big city but it is a big town.
- She appreciates the work that the Commission does, but the lay person is trying to understand that this is not a one size fits all city.

Judy Berkowitz – East Mission Improvement Association

- The various drafts of the housing element are not very different.
- There are 8 ½ pages of deficiencies.
- This document also contains out-of-date data.
- The four policies: 1.1, 1.8, 2.6 and 11.7 should be looked at closely.
- To include notices in the water bill as suggested by Commissioner Sue Lee was a good idea but to her knowledge it has not been done.

Greg Hylton – Jordan Park

- The housing element is troubling and [he] is adamantly opposed to it.
- This is just an attempt by big developers to take over without voter's approval.
- This document will cause catastrophic parking problems and will diminish the beauty of San Francisco.
- The idea that the housing element is a solution to the affordable housing problem is cruel.
- The housing element is illegal in various aspects.
- There are various organizations that were not included in this document.

Sara Lee Keropian – Francisco Heights Neighborhood Association

- She is opposed to the housing element.
- She hopes that the Commission will retain the part of the housing element related to parking.
- The density and the parking in various neighborhoods is very much a problem.

Lois DeCastro – St. Mary's Park Improvement Association

- The association unanimously voted to oppose the housing element.
- If the housing element passes as written it will become the target of large developers.

Paula Romanousky – Treasurer of the Francisco Heights Civic Association

- It is well received to hear the concerns the Commissioners have on the issues and problems facing this City.
- San Francisco is a very livable City.
- Section 101.1 should be maintained.

Rozanne Junker – Francisco Heights Civic Association

- She is concerned about transportation, parking availability, and the City's infrastructure.
- She urges the Commission to carefully consider this proposal.

Julie Marcus – Francisco Heights Civic Association

- She urges the current housing element as is.

Rose Hinson – Jordan Park Improvement Association

- She agrees with many of the people that believe that the current housing element should be maintained.

Steven Hinson

- This is earthquake country and building six story buildings in transit corridors is not a good idea.
- He does own a car and is not going to go to Costco on MUNI.

John Geordani – Jordan Park Improvement Association

- This City is very special for a lot of people who live here.
- San Francisco is different because of the diversity of the neighborhoods.
- Although the housing element is well intentioned it might not be very good.
- Off street parking should be maintained for many projects.
- He urged the Commission to look closely at everything that everyone has mentioned.

Mary Beth Starzell – Richmond District

- People were not invited to give their comments long ago.
- Now this document is two years late and who is responsible for this? - The Planning Department and its personnel.

- People need to have faith in government.
- Single-family homes are being demolished and in its place are four story buildings that are being built.
- The Commission should lead the way to ask planning staff to be respectful to the public.

Bob Starzell – Richmond District

- There is more theory in transit than there is reality.
- People plan and hope but the dreams are very difficult to achieve.
- MUNI is very successful.
- If staff is going to put in place a new housing element, it should require that MUNI would upgrade the transportation system.

James O'Hara – Jordan Park

- This is a unique and special place that has neighborhoods that enable people to live in a very successful way.
- He is opposed to the housing element.
- He urges the Commission to retain the present policy on secondary units.
- Section 207.2 language should be retained.

Grover Wald – Jordan Park

- The plan presented is more a nightmare than a dream.
- This is just a recipe for disaster.
- This proposal will disrupt the wonderful characters of each neighborhood.
- He opposes this General Plan because it lacks rationality, concern for the survival of well-established neighborhoods, and the transportation system.

David Natcher

- He is a San Francisco resident.
- He is very concerned about the process, which seems to have left a lot of people out of it.
- It is very important for the Commission to understand that the people of the City will be living with the results of having passed this document.
- He encourages the Commission to take the time to get additional input and see the long-term results of this document.

Mariou Lascari – Save Our Neighborhoods

- There has been a lot of explanation on this but since when does one approve policy that the public does not want to be enacted.
- The ill-advised policies should be eliminated.
- Policies 1.1, 1.8, 2.6 and 11.7 should be eliminated.

Ron Lichty – Sunset District

- This is very bad policy based on false premises.
- This housing element sets the tone of the future.
- This document is not rezoning.
- Everyone in San Francisco should know about this and the concept that the Planning Department has notified everyone is nonsense.
- In-laws are illegal.

Mark Fighera – Francisco Heights

- When he hears everything that is being proposed, it scares him.
- Everyone that he knows have cars.
- If proper parking is not built, it will be a mess.
- He urges the Commission to retain the policy of one off street parking space per unit.
- Section 101.1 should be retained.

Annemarie Conroy

- This City is not a transit only city just a transit first city.
- The housing element makes changes to city policies.
- The housing element is the guiding element that zoning policies will be based on.
- If this document is passed, there will be disastrous results to neighborhood characters.
- The impact of this document is irreparable.

Cynthia Cole – Precidio Heights Association of Neighbors

- She is opposed to the housing element.

- She is against Supervisor Peskin's secondary units legislation.
- The legislation is contrary to Proposition M.
- It is also contrary to the City's current general plan.
- There is no support for this legislation in her neighborhood.

Brad Reed

- He opposes the housing element in its current form because it will destroy the character of the neighborhoods.

Amy McPhee – Francisco Heights Neighborhood

- She is against the housing element.
- She is alarmed at the policies that are coming through.
- San Francisco works. It is not broken. Policies need to be enhanced.

Kathryn Hecht

- She is disconcerted that the Commission is basing their comments on outdated data.
- If this housing element is passed it will do more harm than good.

Penelope Clark – Russian Hill Neighborhood Association

- The policies being considered do not have any policies for affordable housing or housing for large families.
- The push to have market rate housing at the expense of the quality of life of residents seems to make no sense.
- Because of Proposition M, many units would have to be built.

Joy Small – Jordan Park

- There is a revolt amongst the neighborhood associations against actions being taken to eliminate them and change them.

Bette Spencer – Richmond District

- Her neighborhood would be affected by an 80-foot height limit.
- Does the Commission want to be friendly to families or friendly to developers?

Francisco Centurion – Russian Hill Neighbors/Architect

- He completed Penelope Clark's testimony:
- The result of implementing these flawed policies is that neighborhoods will have a decreased quality of life and there will be less family housing and more suburban housing. This is not smart growth. This is greed driven stupid growth.

Kelly Whatts

- These policies are not standard development policies.
- He is pleased to see so many people come out.
- He had not heard of any outreach from the Planning Department.
- He would like to see a little more outreach.
- He rode his bicycle here because parking is bad. He cannot image how parking will be after this is passed.

Dan Liberthson – Miraloma Improvement Club

- Many people have expressed their opposition to this draft document in its current form.
- The Miraloma Improvement Club opposes this document in it's current form.
- The relaxation of the parking requirements will cause chaos. People will still have cars and use them.
- The Miraloma Improvement Club also opposes the legalization of secondary units.

John Lowry

- He is not in support of the bulk, density and height limitations in this document.
- This document is a very far-reaching plan.
- To say this document is consistent with Proposition M is not true.

Sara Lowry - SON

- She realizes that there is a horrible need for housing, especially affordable housing.
- In order to pay for all this, you need business.
- She supports the comments that everyone has said.

Andrew Bozeman – SON

- This is a very complex effort and he is very disappointed that this document is just a template.

- He urges the Commission to take another look at this and maintain the character of the neighborhoods and keep the parking policies.
- He attended workshops and does not see the results of these workshops reflected in the draft document.

Francisco De Costa - SON

- He thanked the constituents of this city for coming here today and expressing their concerns.
- Today the discussion is on the housing element, transit corridors and a life that has been destroyed by concrete jungles.
- It is time that calibration is done on city planners. There is no accountability or no transparency.

Sheila Mahoney - SON

- She is disappointed about the attempt to fix San Francisco.
- Maintaining neighborhood character has been very difficult already.
- If the housing element would have been approved already many of the projects currently in the Planning Department would have been three to four stories taller.
- Stop all the zoning changes unless there is neighborhood approval.

Bernie Choden – San Francisco Tomorrow

- A policy is an administrative directive intended to be implemented.
- This very much-improved draft still lacks direction.
- The City Charter can be amended.
- This is not a question of habit but a question of commitment.

Linda Jofuku – Japan Town Task Force Incorporated

- Her task force has developed an award winning concepts plan.
- She asks that the Commission take their concepts plan into account.
- She respectfully requested an opportunity for input be her task force.
- The task force has not been invited to be involved in the housing element.
- She is concerned with the Geary corridor.

Oscar Grande – MAC/PODER

- The housing element should be passed. There have been enough amendments. It is very hard to hear Commissioner Antonini stall or belittle people's comments.
- There is no affordable housing built in mostly Caucasian neighborhoods.

Ramona Albright – Coalition of San Francisco Neighborhoods

- She thanked the Commission for the time they have spent on this document.
- She read a motion was passed recently regarding the passing of Proposition M as it relates to the housing element.

Eric Quezada - MAC

- "Not in our City" is a very troubling thought.
- There is some common ground that this document could be based on.
- He believes that there should be protection for cities.
- There should be a great deal of precipitation.
- He urges the Commission to give their comments on moving this housing element forward consideration.

Eileen Bokan – SPEAK

- More hearings are needed on this.
- The planning process itself is very problematic.
- The planning proposes long range plans, but the Department does not have sufficient resources.
- There is a large turn over for planning staff--which has doubled in one year.
- There are inexperienced staff doing the work.

Jerry Longoria - SOMCAN

- He strongly supports this plan and affordable housing.
- He does not want to move out of San Francisco to find a decent place to live.
- He urges the Commission to approve this plan and think about it with their hearts and not their pockets.

Jose Morales - MAC

- He emphasized the need to preserve affordable housing for seniors and disabled persons.
- All his neighbors feel that if there is not affordable housing, there will be a disaster.
- He urged the Commission to pass the housing element.

Ken Reggio – Executive Director of the Episcopal Community Services

- He is concerned with homelessness in the City.
- They provide supportive housing for homeless people and children.
- Permanent affordable housing with support services is the solution to homelessness.
- They recently opened a home for homeless families.

Chris Manitsas

- The elderly who don't drive still have relatives that come to visit them and require parking.
- There was overwhelming opposition to the parking policy and the secondary units policy discussed at a neighborhood meeting that Dr. Ghosh attended. All the issues discussed were not included in the current draft document.

Mark Atkinson

- Wonderful things have happened in this City since he started living here 10 years ago.
- Some people question if an apartment building is an appropriate environment for families. He thinks it is because he lived in an apartment building with his family in New York.

Steven Aiello – Zero Design Co.

- He is a pro-housing citizen.
- He is an architect of single-family dwellings.
- The housing element contains information of where the City needs to go.
- It is impossible for a two-income family to purchase homes.
- There is a lack of supply of housing.
- The greatest change in neighborhood character is an increase in the cost of housing.

David Bisho – West of Twin Peaks Association

- The association is opposed to this document for the following reasons: lack of proper notification and public input; no meeting or workshops in any western neighborhood for the purpose of public participation and development of the final draft; the final draft promoting new housing conflicts with Prop M; the final draft promotes new market rate housing at the expense of family housing; and the final draft's policies are based on old and outdated data.

Calvin Gladney – Bridge Housing Coalition

- He supports moving forward with the housing element because it encourages higher density in the City.
- Increasing density would bring more affordable housing to the City.
- There are many parts of the housing element that will bring clean affordable housing to the City.

Peter Nichol – Bridge Housing Corporation

- He is here in support of the housing element.
- San Francisco is one of the most dense cities in the country and this allows for a rich cultural and economic activity for the City.
- Increasing the density allows for more affordable housing.
- There are many parts of the Housing Element that will allow Bridge to do what they do best.

Desiree Almendral

- She has been working on development in the City.
- She has seen how families have left.
- She is in favor of the housing element because it will help curb reckless development.
- The character of neighborhoods also includes diversity and culturally rich areas.
- There are people that don't have to worry about parking because they have to worry about having a roof over their heads.

Jean Amos – Friends of Noe Valley

- She feels that the housing element violates the spirit of Prop M.

- Many people in her neighborhood have worked hard to have a reasonable growth policy.
- This document does not address the full needs of the people in this City.
- Although the document allows for affordable housing, it neglects the character of the neighborhoods.
- She does not know how this document will convince people to stay out of their cars.

Claire Pilcher – Friends of Noe Valley

- They have been involved in planning issues for a long time.
- She is shocked at the lack of quality design that is being proposed now.
- Transit first is a joke.

Joan Girardot – Marina Civic Improvement and Property Owners

- This document will cause radical gentrification in this City.
- The political bias in this draft document is very transparent.
- This document cannot be based on false data.

Courtney Clarkson

- She looks at this housing element and would say that the Planning Department has not done this because it appears that they are taking the easy way out.
- The Planning Commission is constantly approving spot zoning projects.
- She would like the Commission to take this document back and look at it very closely.
- If this is approved, it will change the face of the City forever.

Robert Laws

- He is opposed to this draft document.
- City planning has to be driven by the most meticulous type of analysis.
- This document fails to do many things.
- This document cries out for an environmental document.

Bud Wilson – West of Twin Peaks

- The non-profit people are being misinformed if they believe that the housing element provides affordable housing.
- The vast majority of the residential homeowners are not aware of this hearing. If everyone knew about this, this meeting would have to be moved to Davies Symphony Hall.

Robert Friese – Jordan Park

- He was caught by surprise by the number of provisions in the housing element.
- He requested more time to find a compromise.
- The explanation of transit corridors has not been given enough explanation or thought.

Ron Pierce – Jordan Park

- He strongly opposes this housing element.
- There is an extremely diverse community speaking here tonight.
- When he reads this document, it does not seem to be a very intelligent document.
- This draft document will change the character of the neighborhoods.
- This document should be given into the hands of the people of San Francisco because they are the ones who approved Proposition M.

Mike DeCastro – St. Mary's Park

- There are a lot of high-density projects without parking requirements.
- This plan calls for the "manhattanization" of San Francisco.
- These changes pose a threat to hard working families.
- He lives in one of the most affordable neighborhoods in the City.
- The Commission needs to rethink this plan completely.

James Collins – 6th Street and Mission Agenda

- The east side of San Francisco is the most needed for affordable housing.
- There are families and disabled citizens who live in SRO hotels.
- A mother cannot prepare a proper meal and prepare her children for school.
- This document needs to be approved and make the proper changes that need to be made.

Bill Murphy – Mission Agenda

- He is a third generation San Franciscan.

- Living in an SRO hotel is not a very nice place to live in but this is what he can afford.
- He would love to move into a clean small studio.
- There is just not enough affordable housing.
- Increasing density in transit corridors will do a lot to build affordable housing.

Marty Borrego – Mission Agenda

- He has lived in San Francisco most of his life.
- This City is based on one people, one heart, etc.
- There are a lot of people who suffer in this City.

Jeannette Fisher-Konadio – San Francisco Development Corporation

- She is concerned with affordable homeownership.
- She urges the Commission to consider the affordable homeownership aspect of the element.

Cris Peterson

- He just moved to the City about one year ago.
- Despite the repeated exertions that everyone owns a car, it is not true.
- He is in favor of the components of the housing element that would increase affordable housing and reduce parking requirements.
- It is important to be sensitive to the character each neighborhood has.

Norman Rolfe

- Housing for people is more important than housing for machines.
- Many people in San Francisco do not have a car.
- This document is heading in the right direction if it increases housing in transit corridors.
- Density does not necessarily mean high-rise.
- This document is a step in the right direction.

Katherine Roberts – SF Greens

- She does not own a car and has lived here since 1975.
- She lives in Cole Valley.
- She is very disturbed that this plan goes against Proposition M.
- There has been a lot of destruction of communities because of the auto development community.
- This plan is a major step in the right direction.

Bruce Windrem – Bay Area Dysfunctionists

- This is a matter of zoning.
- He lives in the tenderloin, is homeless and does not have car.
- He will help preserve the neighborhoods of people with cars if they will help people who don't have a place to live obtain shelter.
- This document will undo a lot of evils.
- He was not informed of this until just today and has not really looked at the document.

Judy Duffy

- This issue is mostly about saving the character of neighborhoods.
- The neighborhoods are very unique and contribute to tourism.
- The uniqueness of the neighborhoods is why many people decide to stay in the City.
- The legislation of Supervisor Peskin will crowd neighborhoods.
- It is important to talk to the neighborhoods and find out what they are looking for.

Barbara Meskunas - CSFN

- There are a lot of people who were brought here under false pretenses.
- This element proposes many things that are a misconception.

Pauline Peele – Bay View District

- Reducing parking areas that are close to neighborhood services is a good idea, but there are neighborhoods that do not have neighborhood services.
- Allowing higher density does not discourage existing housing.

Dick Millet

- He finished the testimony of Ms. Eileen Bokan who was not able to finish:
- The department has not consistently reached out to neighborhood associations or incorporated community input.

- ABAG has drafted a housing element revision work plan. This plan states that community participation consists of ongoing community involvement and activities.
- Outreach to community organizations has only been a small part of the housing element revision process.
- Practice speaks louder than words.
- What he sees is that there have been 400-foot towers on the waterfront recently approved. This is very high density.

Olivia Nava – Laurel Heights

- She just became aware of this issue.
- She is opposed to this document and the policies.
- She is concerned about the lack of notice to San Francisco residents.
- This document would impact the ability of families to live in the area.

Anita Theoharis

- There is a homeless problem as well as a low-income problem.
- The zoning will be changed with this document.
- Transit first does not mean transit only.
- Transit needs to be looked at closely before this document is passed.
- She implores the Commission to address the issue of the housing element.

Richard Schaefer

- When policies are being considered, many things are not presented as they are.
- Since the Commission is a city agency, they should consider not allowing a city on top of high-rises.

Serena Bardell

- She has lived here for 50 years.
- There is a conflict between the Planning Department and the people who live here.
- If the housing element is passed, it will not take long to see the extinction of a beautiful city.
- There will never be enough space for every soul to live here.

Beatrice Laws

- The residents of this city want to be heard.
- The outreach to the residents regarding this issue has not happened.
- More affordable housing is necessary but it should not be done at the expense of eliminating the character of neighborhoods.

Cris Durazo - SOMCAN

- The housing element is supposed to ensure affordable housing for San Franciscans.
- SOMA has absorbed all the affordable housing that has been built.
- Adequate housing is needed in SOMA.
- Demolition of sound housing is a real problem.

Dorcas Maureen Bender – Merced Manor/Preserve Our Neighborhoods

- She submitted petitions of residents who are opposed to this document.
- Neighborhood character should be preserved.
- People have purchased property in certain areas because they want to live in certain areas.
- San Francisco is too beautiful a city to destroy.

Sue Hestor

- The supply of good will toward the Planning Commission is bone dry.
- The Commissioners and staff have ignored the housing element for the last 10 years.
- People in the eastern part of the City are desperate about affordable housing.
- The Commission is abandoning both the east and west parts of the City.

Ada Chan – MAC

- Eight out of 72 policies are new. 72 of the policies have been around in the last decade. Has the face of the western neighborhoods completely changed?
- When people talk about protecting San Francisco, what are they talking about?
- She urges the Commission to close public comment. The testimonies heard today have not been significantly different.
- The key concerns are out there, they have not changed.

- The Commission should close testimony, start the discussion, make the amendments necessary and adopt the housing element.

Marilyn Amini

- She has a memo dated October 2, 2003, which she had a hard time getting. It should have been more available to the public.
- The memo states that the Commission has satisfied state code in the development of this document.
- It also states that on the 23rd of January, all the public involvement had already occurred.
- There is no substantial change in the various drafts. The public has not participated adequately.
- She believes that the Commission should not approve this document and the process should start over.

Emery Kalman

- The Planning Department is not in compliance with the Sunshine ordinance since it has violated Section Codes: 67.7a and b; and 67.7-1a.
- He was here a few months ago and asked how much this project cost and no one ever contacted him.
- The work done for this document is not well done and a waste of money and public resources.
- There have been well document testimonies.

ACTION: Following public testimony, the Commission President closed the public hearing. No action was required of or taken by the Commission. Acting Director, Larry Badiner, informed the Commission that the Department will modify the Draft Housing Element to include the previous Residence Element language on Secondary Units and commence environmental review and report back to the Commission on what environmental review is appropriate. The Department will continue to take written public comment and will hold further public hearings once the environmental document is final.

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Emery Kalman

- Why isn't the City Attorney present at this meeting?
- Why does the Commission not follow the Sunshine Ordinance?
- He would like to have these questions answered in writing.
- When the Commission directs staff to answer a question from the public, why isn't it followed up.

Did not state name

- He had a question, sort of a point of order.
- Most of the public understood from the silence which followed Commissioner Antonini's comments that the procedure would be essentially as outlined by him. The Commissioner stated that he didn't wish to be inadvertently trapped in the situation. Will the procedure be along the lines that Commissioner Antonini suggested?

Acting Director Responded:

Yes.

John Bardis

Re: Environmental Review Process for the Housing Element

- The Environmental review process was not on the agenda today.
- In addressing the environmental review he would hope that staff would pay attention to Commissioner Boyd's comment on what is happening to payrolls that are being generated in San Francisco by the jobs that are in San Francisco.
- People are not being able to continue living here.
- He would like to have on the environmental review a very clear description of what is happening to the economy in San Francisco by not having housing for those commuters.
- He is speaking on the economic development that would be addressed in the EIR. Staff should be very careful in exploring this issue. The future of this city is how a strategy can be developed economically.

Marilyn Amini

Re: Closing Public Comment

- She would like to know what are the guidelines of closing public comment on a topic that is exceedingly important and that many people have not been aware of?
- When there is a document that a of more work needs to be done?
- How can an EIR be started when no one knows how the document is going to evolve?
- What are the guidelines of closing public comment on a very significant issue and that will affect the City for decades to come?
- Does there have to be an action?
- Does only the President make the determination that public comment is closed or does other Commissioners have something to say on this?
- When public comment is closed, this is a very significant action.

Commission Secretary Responded:

- It has been the procedure for at least the last 12 years that at the end of a hearing when the President asks if there are any more speakers and no one indicates that they want to speak, the President, has the right to close the public hearing.
- I assume it was this way before I became Commission Secretary.
- Ms. Amini has been to countless hearings where this has been the procedure and it has never been questioned.
- To my knowledge, the Commission does not have to take a motion to close the public hearing.
- If this procedure has changed without my knowledge, I would appreciate someone letting me know.

Adjournment: 10:33 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, OCTOBER 23, 2003.

SPEAKERS: None
ACTION: Approved as Corrected
AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Boyd

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, October 16, 2003

1:00 PM

Regular Meeting

DOCUMENTS DEPT.

NOV 12 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: Edgar E. Boyd

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:10 p.m.

STAFF IN ATTENDANCE: Gerald Green – Director of Planning; Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Judy Boyajian - Deputy City Attorney; Amit Ghosh; Paul Maltzer; Miriam Chion; Rachna; Susan Exline, Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0418T (P. LORD: (415) 558-6311)
SECONDARY UNITS - Consideration of an Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Unit] in its entirety, adding new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit Center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and adopting findings.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of August 21, 2003)
(Proposed for Continuance to November 6, 2003)

SPEAKER(S):
Marilyn Amini

- She is concerned that there has not been disclosure of significant information on the Neighborhood Commercial Transit District draft legislation pending from former Supervisor Leno.
- This is very significant legislation.
- Included in this legislation is the findings of the secondary units EIR. The BOS upheld the exemption for secondary units because the issues related to transit corridors were not adequately addressed.
- She feels that the public was hampered because this legislation has not been put before the public, although it is currently pending.
- Supervisor Peskin's legislation does constitutes defacto rezoning.
- She requested that the Commission direct the City Attorney to make findings regarding the question of rezoning.

Charlotte Maeck

- She supports everything that Ms. Amini mentioned. This is the feeling of various neighborhood groups.
- Ms Amini speaks from a legal point of view.

Dorcas Maureen Bender

- She supports everything that Ms. Amini said.
- She believes that the secondary units have to be considered in conjunction with the whole housing element and the transit corridors in the neighborhoods.
- This issue also has to be considered with affordable housing.
- It is important to provide for every income level but she believes that the Commission is going in the wrong direction. It is important to keep San Francisco beautiful.

ACTION: Without hearing, item continued to November 6, 2003.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

2. 2003.0863D (R. CRAWFORD: (415) 558-6358)
555 VALLEY STREET - south side between Castro and Diamond Streets in Assessor's Block 7536 Lot 023. Request for Discretionary Review of Building Permit Application No. 2003.04.24 3036, to construct a 37 foot long, four story addition to the rear of the existing 25 foot long, three story single family dwelling in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve Building Permit Application as submitted.
NOTE: On September 25, 2003, following public testimony, the Commission closed the public hearing and continued the matter to October 16, requesting better plans of the surrounding area by a vote of +6 -0. Commissioner William Lee was absent. (Proposed for Continuance to November 6, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 6, 2003.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

- 3a. 2002.1298CV (M. LI: (415) 558-6396)
624 LAGUNA STREET - northeast corner of Ivy Street, Lot 012 in Assessor's Block 0807 - Request for conditional use authorization to demolish a vacant one-unit residential building and to construct a four-story, 40-foot-high senior care residential facility for up to 30 residents within the Hayes-Gough Neighborhood Commercial District and a 50-X Height and Bulk District. The project is the subject of a concurrent Variance hearing before the Zoning Administrator.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of October 16, 2003)
(Proposed for Indefinite Continuance)

SPEAKER(S): None
ACTION: Without hearing, item continued indefinitely.
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd and Feldstein

- 3b. 2002.1298CV (M. LI: (415) 558-6396)
624 LAGUNA STREET - northeast corner of Ivy Street, Lot 012 in Assessor's Block 0807
- Parking variance sought. The proposed project is the demolition of a vacant one-unit residential building and the construction of a four-story, 40-foot-high senior care facility for up to 30 residents within the Hayes-Gough Neighborhood Commercial District and a 50-X Height and Bulk District. The project is proposing to provide zero off-street parking spaces where three are required.
(Continued from Regular Meeting of October 16, 2003)
(Proposed for Indefinite Continuance)

SPEAKER(S): None
ACTION: Without hearing, item continued indefinitely.
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd and Feldstein

B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption of Draft Minutes of October 2, 2003.

SPEAKER(S): None
ACTION: Approved as Corrected
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Boyd and Feldstein

5. Commission Comments/Questions

Commissioner Antonini:

Re: Definition of Affordable

- Last week he asked for the definition of affordable. Unfortunately he was not able to have the answer during public testimony, although he did get an answer from Dr. Ghosh.
- It is important to mention this because sometimes there is confusion that affordable housing only relates to the Leno legislation which would dictate that housing for sale be at 100 percent of AMI and rental at 60 percent. By definition, affordable housing could extend up to a level of 120 percent of AMI.
- It is important that this be a matter of public record and that it is clear what is being talked about. Often times when discussions come up, everyone tends to focus on the Leno legislation. And certainly in market projects where there is inclusionary housing, that is what dictates the housing. But when there are other types of projects, other income levels might apply.

Re: Section 207.2 (The exemption from the Leno Legislation and recent amendment)

- He has also seen some correspondence that tends to imply that the City feels that it is in conformity and that it does not have to change the position the Commission has on secondary units in terms of conforming to the Leno legislation.
- He requested an opinion from legal counsel or the Acting Director on this issue.
- He believes that it is an important distinction to make that if in fact the Commission is in conformity, then the whole issue of secondary units would be one of whether or not it is advantageous--for housing purposes--to have them, as opposed to something that needs to be done to conform with the law.

Deputy City Attorney Judy Boyajian Responded:

The original Melo Bill passed by legislation about 20 years ago, provided an option that if you made certain findings you could prohibit them citywide. We made those findings and they are contained in Section 207.2. The recent amendment, AABA 1856 left that option in. The other two options were tightened up a bit, but the option to opt out is still there. We do have some very old findings. We have never been challenged on them and she could not predict what a court would say if we were. Right now we are taking the position that we complied with the original Melo Bill and are still in compliance and until a court tells us otherwise.

Commissioner Sue Lee:

Re: Article on the Transbay project

- There was an article in the Sunday paper that a plan is being put together on the Transbay project.
- She requested back in September, that this Commission receive the latest version of the Transbay Design Guidelines. She understands that there is a new document out now. She would like the Commission to have this document and see what the design development is so there is an understanding of what people are thinking and it gives the Commission "gestation time."

Acting Director Responded:

- He will provide a copy for the Commission ASAP.

Commissioner Bill Lee:

Re: Action List

- There have been a lot of requests from Commissioners.
- He suggests that the requests from Commissioners made last year be given priority.

Re: Ballot Measure from the San Francisco Chamber of Commerce

- This ballot measure was not adopted by the Board of Supervisors.
- He requested that the Department contact the Chamber of Commerce to find out what that ballot measure is all about.

Acting Director Responded:

- Current requests from Commissioners have been given priority. He felt this was more appropriate. It will take a bit of time to go back to 2002 but he will move this ahead.
- He will contact the Chamber of Commerce to obtain the information.

Commissioner Feldstein:

Re: Action List

- It would be helpful to have this as part of the Director's Comment section on the agenda to go through the list and see where the Commission and the Department are on this.
- There are some items on the list that have been taken care of.

Commissioner Antonini:

Re: Spreadsheet from the dollars of all governmental resources that have been allotted towards affordable housing in San Francisco.

- He realizes that some of this data is in the Commissioner's packets, but would like to go through this and make sure that they have all the answers.

Commissioner Bill Lee:

Re: Affordable Housing

- Is there a way to get information on the location of all affordable housing?

- He would like to have this information as the Commission goes through the Housing Element.

Acting Director Responded:

- He will contact the Mayor's Office of Housing and the Redevelopment Agency to try to get this information.

C. DIRECTOR'S REPORT

6. Director's Announcements

Gerald Green – Planning Director's Comments:

- He is glad to be back.
- The fellowship is a great experience for him although it is also a lot of more work than he expected.
- In the future he will present some of the readings and activities he is involved in.
- He has had the opportunity to watch the hearings via the internet to keep abreast of what is going on.
- He thanked Jim Nixon and Larry Badiner for their work in this rather unusual situation, and announced that they are both communicating with him constantly on the Department's business.

Commissioner Antonini:

- He asked if the public comment period on the Housing Element is in deed closed?

Acting Director Responded:

- Commissioner Bradford Bell did close the public hearing on the Housing Element at the last hearing.
- If the Commission decides to hold another hearing, there will obviously be public comment on the item at that time.
- Written comments would be accepted.
- Once the determination is made on what kind of environmental review will be done, staff will come back to the Commission--probably as an informational item first. If it is an EIR, it will require public comment. If it is a Negative Declaration, there will probably be an appeal and that will come before the Commission.
- There will be plenty of opportunities for public input.

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None

BOA - None

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 572 San Jose Avenue

Interpreter speaking on behalf of Mr. Jose Morales

- He is opposed to this project because it will eliminate two affordable housing units.
- He would like to continue having rent control.
- He requested a lifetime lease and no capital improvements.

Beatrice Wahlbeck

- This project will force out a resident who has been living there for 38 years and is a senior.
- Mr. Morales cannot pay the rent increase as a result of the capital improvements.
- She requested that the Commission not approve this project and have the affordable units remain.

Amy Beinart – Bernal Heights Neighborhood Center

- She is opposed to this project because affordable housing is very hard to come by.
- They are working to keep affordable housing when there is new construction.
- This project is just totally against their goal.
- The City has to act to prevent this kind of displacement, especially for seniors.

Colette Daily

- She is here supporting Mr. Morales. He has been living at this location for 38 years.
- Mr. Morales will be evicted and she hopes that the Commission will not approve this project.

Ernestine Weiss

- She recalls a friend who was a senior and in a similar situation. The project took so long to be decided upon that her friend eventually passed away because of all the stress. She would not like this to happen to Mr. Morales.
- She appeals to the Commissioner's conscience to not let this happen to seniors.
- She hopes that the new Mayor will support affordable housing and seniors.

Marisol Ocampo – St. Peter's Housing Committee

- Mr. Morales's project is an example of what happens so many times to people so the Commission can set a precedent by not approving this project.

Luis Granados – Mission Economic Development Corporation.

- The project as stated in the agenda is very misleading because it does not state that there will be a loss of an affordable unit.
- Mr. Morales will have to go through a long process to try to find affordable housing because of his age and his income.
- The developer/property owner has made some efforts to mitigate the situation but these measures just speak to calming the Commissioner's concerns.
- Mr. Morales has a very, very low income and relocating to another location would create a hardship.
- He hopes that the Commission will look beyond the updates they have received on this project and either postpone the decision or not approve the project.

Myriam Zamora – St. Peter's Housing Committee

- One of the main objectives of the committee is to try to avoid these kinds of evictions. This case is very important because it represents what is happening to many people of the community.
- Mr. Morales is a very important part of this neighborhood and has lived in his house for 38 years.

Renee Salcedo – La Raza Centro Legal

- They serve immigrant seniors who face evictions, homelessness and lack of affordable housing.
- She urged the Commission to not allow this project to be demolished.
- Seniors, especially leaders of the community, should have protection from these injustices.
- He would like to have protection in writing, and a lifetime lease.

Guillermina Castellanos – SRO Hotels

- She is here representing the families who live in SRO hotels.
- There is an injustice being done with what is happening to Mr. Morales.
- She has known Mr. Morales for many years and he does not deserve this. No one deserves this.
- She urges the Commission to have a conscience in the decision that needs to be made today.
- He has been living there for 38 years. Everyone in the community will be supporting Mr. Morales.

Edwin J. Lindo

- He has been living in this world for 54 years and in San Francisco for 42 years.
- What is happening to Mr. Morales is similar to what a rapists does - he is being evicted from his own house.

James Pye

- He is speaking in support of Mr. Morales and the tenants who live at this location.
- By living at this location, Mr. Morales has been able to use public transportation and various amenities that are close by his house.
- It is important to stop these developers and keep affordable housing.

Ted Gulicson – Tenants Association

- These two affordable housing units are important to maintain.
- The rent control law will not protect Mr. Morales.
- He hopes that the Commission will deny this demolition. If this is not possible, the Commission has the power to put on conditions. Mr. Morales should get written conditions with his landlord.

Steven Schubert – San Francisco Tenants Union

- He is here opposed to this project because Mr. Morales is very important to the community.
- Mr. Morales has worked for preserving the rights of seniors.
- Mr. Morales does not have the income to live somewhere else.
- He asked the Commission to not approve this process or to postpone the project until there is further conversation with the tenant and Mr. Morales.

Eric Quezada – Mission Anti-Displacement Coalition

- He supports Mr. Morales in his case and agrees with everything that has been said.
- This is more of a broader policy decision.
- Displacement and mergers is what is going on in the Mission.
- Mr. Morales is a fighter and he has been fighting for the rights of seniors.
- This project needs to have conditions set as well as policies.
- This is a policy issue.

Charlie Sciammas

- He is against the demolition of this project.
- Denying this permit and stopping the displacement will set a very clear message that this Commission is different from the previous Commission.
- He submitted a petition of various neighborhood residents who are opposed to this project but could not be here.

Re: 2477-2479 Sutter Street

Charlotte Maeck

- She is opposed to the demolition of this project.
- The figures on the demolition report are fixed.
- Every time a demolition is approved, people are cut off.
- The new construction will not fit in with the neighborhood character.
- She urges the Commission to let this project stand.

David Silverman

- This project is a mandatory demolition and there have been two hearings on this already.
- This project will have three units instead of its current two units.
- The units will be suitable for families.
- There will be two off street projects.
- There was another Discretionary Review requestor who withdrew their application.
- The neighborhood is a multiple unit neighborhood.

Rodrigo Santos

- Nothing in this building works.
- There is no foundation.
- The brick perimeter has no mortar.
- There is some discrepancy regarding the age of the building. The front section of the building was done before the back part so there are two dates.
- There is total structure failure of the building.
- There have been three different contractors and they selected the lowest cost.
- A shoring and underpinning scheme has to be done if a foundation is planned on sand.

Arnold Humn

- He is an employee of Mr. Santos.

- Regarding the structural review and soundness report, it was stated that there were minor inconsistencies. The only difference was that a much more thorough analysis was done.
- This building does not work and there are structural calculations that support this.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

8. 2003.0412D (K. McGEE: (415) 558-6367)
572 SAN JOSE AVENUE - west side between 27th and Duncan Streets, Lot 003 in Assessor's Block 6595 - Request for Discretionary Review of Building Permit Application No. 2002.11.04.0682 proposing to add a horizontal and vertical addition to a duplex and to add two parking spaces. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

(Continued from Regular Meeting of July 17, 2003)

NOTE: On July 17, 2003, following public testimony, the Commission closed the public hearing and continued the matter to October 16, 2003 by a vote of +6-0. Commissioner Boyd was absent.

SPEAKER(S): None

ACTION: Took Discretionary Review and disapproved the demolition.

AYES: Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

NAYES: Antonini

ABSENT: Boyd

9. 2003.0183D (G. NELSON: (415) 558-6257)
2477-2479 SUTTER STREET - south side between Broderick and Divisadero Streets; lot 022 in Assessor's Block 1076 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions of Demolition Permit Application No. 2002.08.13.3876, proposing the demolition of a two-story, two-family dwelling within an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story, three-family dwelling with three off-street parking spaces.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Continued from Regular Meeting of September 25, 2003)

NOTE: On September 25, 2003, following public testimony, the Commission closed the public hearing, and entertained two motions: 1) to take Discretionary Review and disapprove by a vote +3 -3. Commissioners Boyd, Antonini, Bradford-Bell voted no. The motion failed; 2) continued the matter to October 16, 2003 by a vote +6 -0. Commissioner William Lee was absent.

SPEAKER(S): None

1. MOTION: To take Discretionary Review and disapprove the demolition.

AYES: Feldstein, Hughes, S. Lee

NAYES: Antonini, Bradford Bell, W. Lee

ABSENT: Boyd

RESULT: Motion Failed

2. ACTION: Public Hearing Closed. Item Continued to November 13, 2003. The Commission requested that a representative from another City Department review the soundness report.

AYES: Antonini, Bradford Bell, Feldstein, W. Lee

NAYES: Hughes and S. Lee

ABSENT: Boyd

F. REGULAR CALENDAR

10. 2003.0193D (R. CRAWFORD: (415) 558-6358)
244 GRANADA AVENUE - east side between Ocean and Holloway Avenues in Assessor's Block 6942 Lot 039 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 2002.1028.0113, to demolish the existing one family house, in an RH-2 (Residential House, Two Family) District and a 40-X Height and Bulk district. There is a related proposal to construct a new two-family building.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Demolition Permit.
(Continued from Regular Meeting of October 2, 2003)

SPEAKER(S):

Re: Continuance

David Chan – Project Representative

- He apologized if there were some discrepancies in the written information for this project.

- He agrees with the continuance and will provide the information requested by the Commission.

ACTION: Without hearing, item continued to November 6, 2003.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

11. 2003.0859D (M. LUELLEN: (415) 558-6478)
643 GREENWICH STREET – south side, between Powell and Stockton Streets, Lot 026 in Assessor's Block 0089 - Discretionary Review request for a building permit No. 2002.11.27.2429 to allow the addition of a full third floor and smaller fourth floor to the existing residence. The existing building is a one-story, single-family dwelling over garage, with frontage on Greenwich. A second structure at the rear of the lot is to remain as is and is not part of this project scope. The property is located in the RM-3 (Residential, Mixed, Medium Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Permit Application.
(Continued from Regular Meeting of September 25, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 6, 2003.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Boyd and Feldstein

12. 2003.1007D (D. SIROIS: (415) 558-6313)
352-354 CASTRO STREET - west side of Castro Street, between Market Street & States Street, Lots 003, in Assessor's Block 2623 - Mandatory Discretionary review of Building Permit Application 2003.05.19.4925 under the Planning Commission policy for dwelling unit mergers to legalize the merger of dwelling units in a four unit building that created two flats. The subject property is located in an RM-1 (Residential, Mixed, Low density) District in a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Dwelling Unit Merger.

SPEAKER(S): None

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

13. 2003.0430D (D. SIROIS: (415) 558-6313)

733 KIRKHAM STREET - south side of Kirkham between 11th & 12th Avenues-- Mandatory Discretionary Review of demolition application 2003.02.14.7551 pursuant to the Planning Commission's interim policy requiring review of residential demolitions, to demolish a single-family dwelling. The project also includes the construction of a new two-family dwelling under a separate permit. The subject property is located in an RH-2 (Residential, House, Two Family) District in a 40-X Height & Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve Demolition.

SPEAKER(S):

Alex Varum – Representing Project Sponsor

- The soundness report states that it would take 76 percent of the cost of the property to make repairs.
- There is extensive mold damage to the property.
- The adjacent neighbors are in support of the demolition.
- The lower unit will be as affordable as a single family home.
- The unit will be significantly large and more affordable than the current property.
- The new unit will have only 6 rooms instead of the 7 mentioned in the report.
- The current owner purchased the property and was not involved in its lack of maintenance.
- The current owner should not be penalized for what the previous owners did not do.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

Item 14 was taken out of order and followed item 17.

14. 2003.0906D (E. TOPE: (415) 558-6316)
445 NAPLES STREET - east side between Persia and Brazil Avenues; Lot 029 in Assessor's Block 6077 - Mandatory Discretionary Review pursuant to the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 2003.01.30.6372, proposing to demolish an existing single-family dwelling. A new single-family dwelling would be constructed under a separate Building Permit Application, No. 2003.01.30.6370s. The project is located in a RH-1 (Residential House, Single-Family) District and 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

Armando Sandoval – Project Architect

- He displayed a photograph showing the front of the house.
- There is a lot of corruption in the structure of the house.
- The floor is not leveled.
- The project sponsor would like to have this house demolished and replace it with a brand new house that would improve the neighborhood.
- The foundation shows rotten wood and supports.
- The new building will have a two-car garage.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

15. 2003.0362D (E. TOPE: (415) 558-6316)

1886 FUNSTON AVENUE - east side of Funston Avenue near Aerial Way; Lot 004A in Assessor's Block 2049B - Request for Discretionary Review of Building Permit Application No. 2002.12.26.4216.S proposing a second story, rear horizontal extension for an existing single-family dwelling within an RH-1 (Residential, House, Single-Family) District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Do Not Take Discretionary Review and Approve Project as Submitted.

SPEAKER(S):

Re: A request for continuance made by the DR requestor

Josephone Chan – Project Sponsor

- She does not support the request for continuance.

Re: Merits of the Project

Josephine Chan

- They are in need of space because they have a growing family. This is the reason why they want to build an extension.

- This project will add value to the neighborhood.

- They hired a water drainage consultant and the recommendation was submitted with their report to the Commission. They would be in agreement with the incorporation of the drainage system plan recommended.

- The Discretionary Review requestor is claiming that this project will reduce their light and air.

- They have made every effort to accommodate the DR requestor's concerns.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

16. **2003.0364D** (M. SNYDER: (415) 575-6891)
3243 21ST STREET (aka 1 BARTLETT STREET) - southeast corner of 21st Street and Barlett Street, Lot 53 in Assessor's Block 3616 – Mandatory Discretionary Review under the Planning Commission policy that requires review of dwelling unit mergers of Building Permit Application No. 2003.02.25.8245 proposing to merge two units into one in an existing three-unit structure in an RH-3 (Residential, House, Three-family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

Dave Dow – Project Sponsor

- He has been the owner of the lower unit for six years.

- The property is a landmark building built in 1883.

- According to the research, the original plans show that it was a single family home and converted to three units in the 30s. There were many Victorians converted to multiple units but this one particular house was converted to three units.

- Since the time he has been living there, he has been able to maintain and preserve the building.

- He has removed the smaller unit from the rental market.

- He is available for questions.

Brian Way

- He lives upstairs and agrees with the proposal.

- He is also helping to bring the building closer to its original single family dwelling status.

- The house is important in the neighborhood.

Eric Quezada – MAC

- Independent from the individuals living in the units, this is an issue of taking a unit out of the rental market.
- This type of policy is very important to them.

ACTION: Did not take Discretionary Review and approved the merger.
 AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Boyd

17. 2003.0734D (M. SMITH: (415) 558-6322)
1740 CHURCH STREET - west side of the street between 29th and Day Streets, Lot 008 in Assessor's Block 6632 - Request for Discretionary Review of Building Permit Application No. 2003.03.12.9484, proposing to construct a two-story rear horizontal addition and a roof deck on a mixed-use building containing a second floor dwelling unit and a full-service restaurant (Deep Sushi) at the ground floor, located in a NC-1 (Neighborhood, Commercial Cluster) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications.

SPEAKER(S):

Ray Toballas – Project Sponsor

- There have been concerns with sound and privacy from the deck.
- He feels that Deep Sushi benefits the neighborhood by providing jobs to neighbors.
- There have been about 50 petitions in support of the project.

Robert Alvarado – Legal Representative

- They did sound reports to determine noise levels on typical activities.
- There are some benefits to the proposed design.
- The restaurant is open in the back of the house. The proposed project will construct a structure to limit the noise in the back.
- The design will add positive qualities to the project.

Jim Rapatos – Project Architect

- He has met with the Discretionary Review requestor twice.
- He has designed a fence to deal with the issue of privacy.
- He is available for questions.

ACTION: Took Discretionary Review and approved the project with the following amendments:
 1) The addition shall incorporate a light well to match the adjacent building. The light well shall be a minimum of four-feet in depth.
 2) The addition shall have soundproofing.
 3) The roof deck shall have a solid privacy wall that extends seven-feet above its floor.
 4) A NSR shall be placed on the property to limit the use of the operable windows at the rear of the building at the ground floor which shall be closed at 10:00 p.m. every day.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Boyd

- 18a. 2003.0518DV (K. SIMONSON: 415-558-6321)
1412 LYON STREET - east side between Sutter and Post Streets, Lot 20B in Assessor's Block 1074 - Request for Discretionary Review of Building Permit Application No. 2003.03.26.0779, proposing to remove the existing rear stairs and deck and construct new stairs with associated landings and fire walls at the rear of the existing three-story three-family residence. The subject property is in an RH-3 (Residential, House, Three Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve Project as Submitted.

SPEAKER(S):**(-) Dan Sullivan – Representing Discretionary Review Requestor**

- The project sponsor avoided a 311 notice by filing a permit for minor stair work.
- The project as proposed has substantial negative impacts on light and air.
- They have worked with the project sponsor by writing letters asking to have meetings.
- There is no place to put tables or chairs on the deck.

(+) Harry Karnilowicz – Representing Project Sponsor

- He displayed a photograph of the rear of the structure and how the proposed structure would look.
- The project sponsor does not want to file a 311 notice and have this project delayed further. The project sponsor would like to have this project approved as is.

(+) Joe O'Donaghue

- The person representing the project sponsor has always been opposed to the Residential Builders Association even though he is a builder. However, he is a very well mannered and respectable person.
- The original project extended far more into the rear yard than the present proposal.
- Supports the proposed project.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Antonini and Boyd

18b. 2003.0518DV (K. SIMONSON: 415-558-6321)

1412 LYON STREET - east side between Sutter and Post Streets, Lot 20B in Assessor's Block 1074 – Request for Variance to Rear Yard requirements to allow construction of new stairs and associated landings at the rear of the existing three-story three-family residence. The stairs would project 7 feet from the existing rear wall of the building, 5 feet of which would be in the required rear yard, and would extend up to the third floor, with fire walls along the side property lines. The subject property is in an RH-3 (Residential, House, Three Family) District and a 40-X Height and Bulk District.

SPEAKER(S):

Same as those listed in item 18a.

ACTION: The Acting Zoning Administrator closed the public hearing and has taken the matter under advisement.

6:00 P.M.

19.

(CITYWIDE STAFF)

PRESENTATION ON EASTERN NEIGHBORHOODS – Status report and discussion on the Eastern Neighborhoods project and the environmental review process. There is also possible Commission action to establish the Commission's preferences regarding alternatives.

Preliminary Recommendation: Establish Commission preference regarding alternatives.

SPEAKER(S):**My Do – Mission Economic Development Corporation**

- Production, distribution, and repair businesses in the City provide essential employment for residents of San Francisco. And in particular, the Eastern Neighborhoods.
- PDR businesses provide income to the City.
- It is important to include in this document, the creation of industrial preservation districts as well as buffer zones since these are vital to the City's economy.

Luis Granados – Mission Economic Development Corporation

- When there is talk of planning for the Eastern Neighborhoods, it includes about 68,000 working class people and about 4,000 businesses. So when the Commission considers this document, it is important to take these facts into consideration.
- He supports the plan and suggests moving it forward to the CEQA process.
- He suggests asking staff to include socio economic impacts be included in the document in order to look at who benefits and what alternatives there are.
- He asks staff to develop policies to control development in the interim.

Eric Quezada – Mission Anti-Displacement Coalition

- He began this process about two years ago. He has participated in organizing planning department workshops and focus groups in order to determine the needs of the residents of the Mission District.
- He has consistently advocated at community meetings in order to ask the department to move this document forward.
- They recently had a protest at the planning Department in order to express their feeling of importance on moving this forward.
- He would like the Commission to clarify what direction they will take with this document so they [the community] can be prepared when the EIR process comes about.
- The housing element is tied to the Eastern Neighborhoods plan.

Charlie Sciammas

- He invited Director Green and several Commissioners to come to a community meeting in the Mission. The Director mentioned that the work MAC has been doing in the planning process was grass roots at it's best.
- He urged the Commission to move forward in this process and to move as quickly as possible.

Sue Hestor

- She urges the Commission to move forward on this.
- It is evident that there should be a major transportation component done very quickly.
- There are traffic lines that don't work because there are certain areas that are designed for trucks.
- There is certain information that is not described in the document. For example, how will it be paid for? Also, making sure it is online at the same time the Housing Element is online.

James Haas – Rincon Hill CAC

- When the Eastern Neighborhood began, they began to develop some guidelines.
- He has participated extensively in the South of Market process.
- He has a desire to build a more residential area in the east of 4th Street area.
- He would like to proceed with the EIR.
- This has been around since 2001 so the talking stage should stop and we should move forward with the EIR, at least in the east of 4th Street area.

Bill Poland

- He is very pleased to have been involved in this process. It has been very valuable and it is pretty clear that everyone would like to see mixed use in the Showplace area.
- Even when the Commission moves forward with the EIR it will not jive with the work they are currently working on.
- There are certain areas that are ready to go and this document should not be stopped just because there are some areas that are not.
- There is some tweaking still to be done for Option B.

Joe Girimonte

- He is a resident of Potrero Hill.
- He invited the Commission on a tour of the Potrero Hill area.
- There was a desire to upgrade the housing, businesses and safe parking.
- He supports the Planning Department's option B for the Showplace Square.

Mary Murphy – Farella, Braun and Martel

- She read a letter from Julie Milbourne who is the Facilities Director of the California College of the Arts. Ms. Milbourne is in support of moving this document along as soon as possible.

Ms. Murphy stated the following:

- It is important to take a look at outdated policies and strategies.
- It is important to try to create neighborhoods.
- The four changes to option B that the Department has proposed permitted an active street front eliminate; the 1 to 1 SAR requirement for PDR; higher heights at 65 feet; and 1 to 1 parking so as to not displace the current parking.

Mel Beetle – Senior Action Network/Homeless Senior Task Force for the City

- Social and economic impacts should be included in the EIR document.
- The amenities, which will be coming forward, should be taken into consideration.

John Melone – Homeless Senior Task Force/Permanent Housing Committee

- He is very concerned about the homeless seniors.
- They have prepared a resolution, which they will be forwarding to the Redevelopment Agency and the Mayor's Office of Housing.
- Twenty-five percent of the housing should be designated for seniors.
- Although there is senior housing being built, it is only a "drop in the bucket." More housing for seniors is needed.

Mark Klaiman – Bay View Industrial Triangle

- He urges the Commission to balance the needs between jobs and housing.
- Not everyone is intended to work downtown. PDR provides jobs and economic development to the City.
- PDR are not necessarily bad for neighborhoods.
- Non-conforming uses are not the answer.

Kate White – Housing Action Coalition

- Move forward with the EIR.
- There has been a lot of work that has been done already.
- The Coalition feels very strongly about considering projects that stay within two or three of the options.
- She submitted a letter

Vicki Hart – Flower Mart

- She has come to workshops and has written letters regarding having commercial/residential uses in the area.
- Although they are a small group and are not as organized as other groups, they are very vocal and are willing to help out as much as possible.

Jim Meko

- They have no desire to stop the Mission or the Showplace Square folks from taking their rezoning into environmental review, but understand that the \$127,000 that Director Green mentions for environmental review is SOMA money. The only reason that the money has not been spent is because Supervisor Daly has put it on hold.
- The legislation authorizing this entire process spoke of community-based planning.
- The process the Department began was called community planning and now it is called rezoning.
- SOMA was rezoned 13 years ago after an exhaustive comprehensive planning process. Frankly, he would opt for the zoning changes made in 1990.

Fred Snyder

- His property in the NEMIZ is part of the NEMIZ rezoning.
- He agrees with the previous speaker.
- They have created a document regarding all this that he will be submitting to the Commissioners.

Edward Lortz

- He would like to have the Commission direct their plan to go forward as part of the EIR and interim controls with the use options A and B as starting points.
- Their plan is the only community generated plan that includes preserving PDR, housing, and mixed use.

Lisa Schiller – Urban Planner – Potrero Hill

- She has helped to design the Potrero Hill community plan. This plan ensures that rezoning of the Showplace area remains a vital part of Potrero Hill and San Francisco.
- The plan includes open spaces in the public realm where others do not.
- She was happy to see the Planning Department public benefit zoning memo and is glad to see that many of their concerns are being considered.
- Option B does not have the elements required, but their plan does.

Kepa Askenazy – Potrero Boosters

- They have taken a look at the section of the Planning Department's height suggestion and they are very disturbed by it.
- They presented a model of the scale of buildings determined by the height suggestion of the Planning Department.
- They are very concerned about any lack of design guidelines.
- She displayed photographs of buildings in the area that have either good designs or bad designs.

Tom Myers – Real Estate Appraiser

- He lives in Potrero Hill.
- He is concerned that it may fall short if the height requirement is not approved.
- The corridors on 17th Street and highway 280 provide the transit for the added traffic so that will not be a problem. There is still a problem with housing, especially for moderate income and seniors.
- He hopes the Commission will not approve interim controls.

Jaime Guerrero

- Every speaker has mentioned community, which is a good thing.
- Many of the community organizations are in agreement that housing is important.
- It is vital that this place be a nice place to live.
- What makes a nice residential neighborhood: - transit, jobs, parks, cafés, trees, street lighting, etc.
- There is a lot of housing in the Northeast Mission.
- Please adopt zones that specifically include housing.

Anthony Faber

- He does not know how an environmental study can be done on something that has not been decided yet.
- Although most community organizations like the Mission are ready to go, there are some that are not ready to go.

Cris Durazo – Market Street Community Network

- A comprehensive community process is essential.
- They have done a tremendous amount of work trying to explain to people zoning, planning etc. when they are in a need for survival.
- There are very basic things that are important so a comprehensive plan is quite vital.
- They want the Commission to start the EIR yet it is important to start a social impact process as well.
- They should not be split from SOMA.

Cindy Mendoza – South of Market Employment Center and Mission Hiring Hall

- She agrees with moving ahead on the EIR but include a social and community impact review.
- She works with Mission Hiring Hall and it is important that the industries that are included take into consideration low incomes, immigrants, and young people.
- She wants to ensure that the jobs are here and that the ones that exist are maintained.

Marie Ramos – SOMA Immigrant Committee

- She would like to have further time for community planning.
- She would like to continue to sit down and have further dialogue in the SOMA community in order to build a community consensus.
- That the social impact that will be built into the future EIR and the public benefit from zoning principals are strongly adopted.

Jeffrey Leibovitz – Rincon Point/South Beach CAC

- They have been at this since 1998.

- The Eastern boundaries that he would like to move forward would cover the areas from 4th Street to the Waterfront to the South Beach Redevelopment Area, from Stillman Street to the north, to the Ball Park.
- Since this process has been moving forward, there have been a lot of people that are disturbed by the process. In his neighborhood, they are not. They have consensus on moving forward.

James Collins – 6th Street/Mission Agenda

- He urges the Commission to pass this plan and start the EIR process.
- The community needs this. It is quite vital.

Shawn Gorman - Architect

- He grew up in the Showplace Square area.
- He looks forward to this process moving forward.
- He does not want this to follow the Central Waterfront Plan.
- Option B is a very good option because there are a lot of compromises.
- Maintaining the existing heights would allow for more housing.

Robert Meyers – City Planning Consultant/Eastern SOMA

- Including the South of Market area and the eastern part near 4th Street should be included in the EIR process.
- This part of SOMA has a general consensus of what they want in regards to planning.
- There is also a consensus that the current SLI [service, light industrial] zoning has failed.
- They are ready to move ahead and work with staff to work out the details.

David Wilbur – SOMPAC/SF Tenants Union

- He became involved in the planning process recently.
- He urges the Commission to include some of the social and economic impacts in the EIR process.
- There are a lot of important issues that still need to be taken into account related to rezoning.
- SOMPAC area should be included in this process.
- A very intensive comprehensive plan has been done.
- Exactions need to be required when rezoning takes place. Fees should be included to start building affordable housing and transit.

Judy West

- She lives in the northeast Mission area.
- She is familiar with the concerns from both sides regarding pressures from land use.
- Rezoning needs to move forward that takes into account housing.
- Transportation planning, 16th Street corridor, etc. needs to be taken into consideration.
- She is nervous about moving forward.

John Elberling - SOMA

- He has been a worker and landlord in the South of Market for many years.
- When he sees the Bay View and the work they have done, he sees comprehensive planning. Now they are moving into the zoning process and the Redevelopment Plan adoption process.
- When he sees the 6th Street PAC plan, he sees a developed comprehensive plan that is ready for zoning and redevelopment for implementation.
- A neighborhood requires comprehensive community planning before the zoning is done.
- SOMA needs the comprehensive planning process. An EIR process is not the same thing.

Phillip Lesser – Mission Merchants Association

- He commended the Commission for being involved in the process.
- The Commission has done a tremendous job.
- He looks forward to an EIR. It is a fallacy to think that because we are so rich with public transportation, there is no need for parking.
- It is imperative to consider public parking.

Jason Born – SOMA West Neighborhood Group

- He is here to talk about the planning process that missed the mark.

- He displayed a planning map of district parks planning.
- There is a reason that everyone is here today. If the Commission takes the decision to approving this, it would be like having the cart before the horse.

Ada Chan

- She encouraged the Commission to move forward with this plan.

Charles Range - PAC

- He is a member of the South of Market Project Area Advisory Council to the Redevelopment Agency.
- He is a little bit confused. He has been working for the last five years on this and one of their responsibilities was to deal with the Plan Amendment for a small geographical area that the Redevelopment Agency's South of Market PAC is responsible for. They have been pushed by the Redevelopment staff to complete the Plan Amendment. It has taken them four or five years to do it and they have finally completed it. It had to go through the Redevelopment Agency legal process. The legal process reviewed it and kicked it back to them because they had to be sure that the things they were asking for fit within the law. So it came back to them. They reviewed it again, met for many times, and finally approved it. It went back to Redevelopment. In this process they interfaced with the Planning Department because they were told that Redevelopment had relinquished their responsibility in some type of agreement with the Planning Department as it relates to the redevelopment area. In their plan, there are issues that deal with zoning, etc that are the responsibility of the Planning Department. They met with staff from the Planning Department and also attended various meetings. Now the issue is that they are ready to move forward, but where do they go now? There are limited funds. This is why he is confused.

ACTION: Following public testimony, the Commission President closed the public hearing. No action by the Commission was taken. Director, Gerald Green and Acting Director, Larry Badiner, informed the Commission that they intend to initiate the environmental review process for the Eastern Neighborhoods to include:

- Showplace Square, focusing on Alternative B and the two neighborhood proposals.
- The Mission District, focusing on Alternative B and the two neighborhood proposals.
- SOMA, to include the eastern portion and the redevelopment area, not including west SOMA at this time.

They would return to the Commission on November 13, 2003 with further information on:

- Interim Policies/Interim Controls
- Environmental Review Process.
- Socio-economic impacts of the rezoning proposals and Public Benefits Zoning.
- PDR definitions.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, NOVEMBER 6, 2003.

SPEAKERS: None

ACTION: Approved as Corrected

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, October 23, 2003

1:00 PM

Regular Meeting

DOCUMENTS DEP

NOV 12 2003

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee
COMMISSIONERS ABSENT: Shelley Bradford Bell and Edgar E. Boyd

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT ANTONINI AT 1:30 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Judy Boyajian - Deputy City Attorney; Craig Nikitas, Michael Li, Stella Esver, Jonathan Purvis, Sara Vellve, Isolde Wilson; Max Putra, Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1a. 2003.0809CV

(M. WOODS: (415) 558-6315)

707 - 719 CLEMENT STREET - Request for Conditional Use authorization under Sections 121.1, 121.2, 303, 716.11, 716.21 and 716.45 of the Planning Code to allow an interior opening connecting two retail stores operated by one ownership (the Richmond New May Wah Supermarket) for a combined gross floor area of approximately 17,300 square feet and a lot size of approximately 10,300 square feet, in the Inner Clement Street Neighborhood Commercial District and an 40-X Height and Bulk District. The proposed project involves interior alteration only. The building envelope would remain the same.

Preliminary Recommendation: Pending

NOTE: Re-advertised due to increase in gross square footage of the proposed project from approximately 11,700 square feet to approximately 17,300 square feet. (Proposed for Continuance to ~~November 13, 2003~~ November 6, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 6, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

- 1b. 2003.0809CV (M. WOODS: (415) 558-6315)
707 - 719 CLEMENT STREET - south side between 8th and 9th Avenues; Lots 36 and 38 in Assessor's Block 1440 - Request for off-street parking and freight loading variances under Sections 151 and 152 of the Planning Code. Section 151 of the Planning Code requires one off-street parking space for every 500 square feet of occupied commercial floor area. Section 152 of the Planning Code requires one off-street freight loading space when the gross floor area exceeds 10,001 square feet but is less than 60,000 square feet. The required off-street parking for the combined retail spaces is 16 parking spaces and the freight loading is one space. The project will not provide any off-street parking or freight loading spaces.
(Proposed for Continuance to November 13, 2003) November 6, 2003

SPEAKER(S): None
ACTION: Without hearing, item continued to November 6, 2003
AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Boyd

2. 2003.0280C (R. CRAWFORD: (415) 558-6358)
4071 18TH STREET - (south side between Castro and Hartford Streets), Assessor's Block 3583 Lot 075) - Request under Planning Code Sections 161(j) for Conditional Use Authorization for a reduction in off street parking requirements for dwellings from four spaces to 0 spaces. The Project will demolish an existing two story commercial building and replace it with a four story 6,400 square foot mixed use building with ground floor commercial and four residential units above, in the Castro Street Neighborhood Commercial District and within the 40-X Height and Bulk District.
Preliminary Recommendation: Approve with conditions.
(Proposed for Continuance to November 13, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to November 13, 2003
AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Boyd

3. 2003.0832T (P. LORD: (415) 558-6311)
CONDITIONAL USE REQUIREMENT FOR RETAIL USES OF 50,000 SQUARE FEET OR LARGER - Consideration of an Ordinance adding Section 121.5 of the Planning Code and amending Sections 218, 814.31, 815.31, 816.31, 817.31, and 818.31 of the Planning Code to require that all retail uses, for which permit applications are submitted after the effective date of this ordinance, C-2, C-M, M-1, M-2, RSD, SLR, SLI, SSO, and SPD zoning districts, which are 50, 000 square feet or larger may only be permitted as a conditional use, providing additional criteria for the Planning Commission's review of such conditional use applications, providing that these provisions shall apply only to building permit applications received after the date of introduction of this ordinance, and making finding of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(Proposed for Continuance to November 20, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to November 20, 2003
AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Boyd

B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption – Draft Minutes of October 9, 2003.

SPEAKER(S): None

ACTION: Approved as Corrected:

1) Action of the Housing Element should state the following:

ACTION: Following public testimony, the Commission President closed the public hearing. No action was required of or taken by the Commission. Acting Director, Larry Badiner, informed the Commission that the Department will modify the Draft Housing Element to include the previous Residence Element language on Secondary Units and commence environmental review and report back to the Commission on what environmental review is appropriate. The Department will continue to take written public comment and will hold further public hearings once the environmental document is final.

2) Page 10; Steven Aiello – stated that the greatest change in neighborhood character is an increase in the cost of housing.

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

5. Commission Comments/Questions

Commissioner Bill Lee:

Re: Soundness Report

- What steps or mechanism can the Planning Department take to have some sort of criteria and consistency when planners review soundness reports?

Commissioner Feldstein:

Re: Soundness Report

- The Commission requested that a soundness report be referred back to DBI for some input on the report's accuracy. She now understands that this report was done by a Commissioner from the Building Inspection Commission. Is there an issue with the Building Inspection Commissioner making a presentation on something like this? Particularly if this project is going to DBI for permitting?

City Attorney, Judy Boyajian responded:

- No, the Building Inspection Commission has designated seats where they represent specific constituencies and they are exempt from the rule against appearing before another board or commission. They have different conflict of interest rules. If this project came before the DBI Commission, the particular Commissioner would have to recuse himself/herself.

Acting Director responded:

- If he recalls correctly, he re-phrased the Commission's request and stated that staff would send the report to another appropriate city agency that has structural engineers.

- He did not think that specifically DBI would be the agency.

Commissioner Bill Lee:

- He recommends that we send this document to either the Department of Public Works or Public Utilities Commission.

Commissioner Antonini:

Re: Housing Element

- He was encouraged to see a few articles in the Chronicle regarding the Housing Element.

- He feels that it is their duty to actively solicit the engagement of the public on something as important as this.

C. DIRECTOR'S REPORT

6. Director's Announcements

Re: Commissioner's Questions

- He has received a number of concerns from staff about Commissioner's problems with case reports or case material. To the extent possible, staff would like commissioners to call them in advance of the hearing with any questions or concerns they may have so staff can adequately respond. Because this is addressing commissioner's concerns on items scheduled for hearing, it is not viewed as assignments to staff from commissioners.

Re: commissioner Lee's Request:

- Mr. Nikitas has been working diligently to provide a standard for demolition reports.
- Staff is trying to set up a training session on these reports.
- DBI has volunteered to work with planners.

Re: Articles that were in the Chronicle

- It is good when the department gets public exposure on an item that is so critical and that many people feel is very important.

7. Review of past week's events at the Board of Supervisors and Board of Appeals **BOS – None**

BOA

Re: 701 Lombard Street

- The Commission heard this case and approved it with modifications. The Board of Appeals upheld the case. The Board of Supervisors had an appeal of the Environmental determination that the acquisition of that property for Park and Rec would have a categorical exemption. That challenge was withdrawn. The environmental review at the BOS was over in a matter of 15 minutes. Then the BOS had a six hour hearing on whether to acquire the property or not. This was then continued to a later date.

D. REGULAR CALENDAR

8. (C. NIKITAS (415) 558-6306)

SECTION 295 POLICIES AND METHODOLOGY - Review of Planning Code Section 295 ("The Sunlight Ordinance"), and a discussion of the Department's technical methodology for shadow impact analysis.

Preliminary Recommendation: Informational presentation, no action required.

SPEAKER(S):

(+/-) Jeffrey Heller

- In his view Proposition K is a good thing.
- The main issue here is to ask what is substantial and what is not?
- On any certain part of the day, shadows can be significant.
- The shadow formula does not take into account trees, etc.
- There should be a proper threshold of analysis so that the evaluation is meaningful.

(-) Adina Rosemarin

- She is director of a small park near Stonestown.
- She has factual experience of the operation of this criteria.
- She has been working on the Stonestown project and under these criteria the shadow would be insignificant. Unfortunately, these criteria are entirely done by arithmetic, not actual.

ACTION: Public hearing closed. No action required by the Commission

- 9a. 2002.0628E!KXC~~V~~ (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Review under Planning Code Section 309 and for exceptions, to construct a new building approximately 23 stories and 235 feet in height, with a gross area approximately 497,000 square feet, containing approximately 246 dwelling units and 5400 square feet of ground floor retail, and a parking garage, to replace an existing surface-level parking lot containing 168 spaces. The site is in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts. The project is the subject of a concurrent hearing for a Conditional Use authorization.
Preliminary Recommendation: Approval
(Continued from Regular Meeting of October 2, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 13, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

- 9b. 2002.0628E!KXC~~V~~ (J. MILLER: (415) 558-6344)
1160 MISSION STREET, northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Request for authorization of Conditional Use for a public storage garage for passenger vehicles (Planning Code Section 223(m)), and for parking in excess of accessory amounts (Planning Code Section 204.5) in conjunction with construction of a new, 23-story residential building, replacing a surface-level parking lot containing 168 spaces with a residential apartment building 23 stories in height and approximately 497,000 gross square feet in size. The site is in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts.
Preliminary recommendation: Approval with Conditions
(Continued from Regular Meeting of October 2, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 13, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

- 9c. 2002.0628E!KXC~~V~~ (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 in a C-3-G (Downtown General Commercial) District, and in 150-S and 240-S Height and Bulk Districts. Dwelling Unit Exposure Variance Sought: The proposal is to construct a new 246-unit, 23-story residential building with a 504-space parking garage. Up to 180 of these dwelling units are to be side facing (without direct frontage on a street, a complying rear-yard area, or other open area with sufficient minimum dimensions to comply with Planning Code Section 140).
(Continued from Regular Meeting of October 2, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 13, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

10. 2003.0941C

(J. PURVIS: (415) 558-6354)

500-560 POTRERO AVENUE (MARIPOSA GARDENS) - west side south of Mariposa Street; Lot 001 in Assessor's Block 4014 - Request for Conditional Use Authorization under Planning Code Section 303(e), to modify previous conditions of approval to allow the reduction of up to eight required off-street parking spaces, resulting in a total of 55 spaces, for the construction of a 1,264 square-foot community room for residents, at an existing 63-unit Planned Unit Development, within an M-1 (Light Industrial) Use District and a 50-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Monica Garcia – Mission Housing

- There are petitions from 50 of the 63 units that are in support of this community room.
- All the tenants are in support of turning the garage into the community room.
- The garage for the tenants is free. There are more than enough spaces for tenants to part their cars if they have one. The loss of these spaces would not have negative impacts.
- She hopes that the Commission will approve this project.

(+) Lilian Backtor – Mission Housing

- She was a tenant coordinator for the Mariposa Gardens.
- There are a lot of activities that are done without adequate space or community rooms.
- The resident meetings are done outside in a courtyard where people have to wear their jackets when there is cold weather.
- Mariposa Gardens does not benefit from any funds.
- A community room is very much needed.
- She hopes that the Commission will approve this project.

(+/-) Fred Snyder

- He owns property across the street from Mariposa Gardens.
- He has not had any problems with any of the tenants there.
- There are a few tenants that park outside on the street.
- It would be a good idea to wait until the policies are established for the Eastern Neighborhood rezoning.
- The Planning Department, MAC etc. will be working together to have some policies established.
- If this project is granted he would like to see a requirement that when meetings are held there the community should be invited also.

(-) Gregory Twiss

- He works across the street from the proposed project.
- The parking in the neighborhood is very difficult.
- He observes that the business community in the area does have a need to park on the street as well.

(-) Bernard Glaser

- He is president of a club in the neighborhood.
- Parking in the area is not very good.
- Many people end up parking in the Safeway parking lot, which is about three blocks away.

(+) Dave Snyder

- He is in favor of this project.
- He is surprised that there are people here opposed to this project.
- The tenants at the development should be allowed to have a community room.
- The excess parking should not have even been built.
- He hopes that the Commission will approve this project.

(+) Gary Right

- He is a resident of Mariposa Gardens.
- They will just reassign tenants to parking spaces so they will not use any parking spaces in nearby lots or on the street.

- Tenants will be able to have space for their cars.

(+) Melania Miller

- She has been a resident of Mariposa Gardens for 20 years.
- This space will be a place for 63 tenants to meet, study, train, converse, etc. She cannot believe that there are people who are opposed to this.
- When there are tenant meetings they have to meet outside in the cold, covered with scarves, gloves, etc.
- She remembers that she used to have to travel long distances to take her children to community areas. This will benefit the families that still have little children.
- She hopes that the Commission will approve this project.
- This would be the best gift the Commission could give to her today because it is her birthday.

(+) Carlos Romero – Executive Director for Mission Housing

- There has been 20 years of operation.
- He takes public transportation. When he passes by the complex he sees various parking spaces nearby. There is no evidence that there is a need for additional parking.
- He hopes that the Commission will consider approval of this project.
- There is a low-income grant they received that would help fund the project.

(+) Maria Lila Sanchez

- She has been living in Mariposa Gardens for 15 years.
- She agrees with building this community room. This would provide an opportunity for tenants to have parties and other activities. The youth need a place to meet and not have to be on the streets.
- She hopes that the Commission will approve this project.

(+) Eric Quezada – Mission Housing

- The real impacts on parking and development took place during the dotcom boom because of the lofts, etc.
- Today, this project will be a benefit to many people for many years.
- This is the best for community safety because it will be a place for tenants to meet.
- Bryant Square will actually add parking spaces in the area.

(+) Mario Zuniga – Manager of Mariposa Gardens

- There is a real need to build this community room especially for the children. It will give them a place to go and opportunities for activities that will help keep them busy.

(+) Deby Gonzales – Tenant Coordinator for Mariposa Gardens

- She is looking forward to having this community room.
- She owns a car and has always been able to find parking on the street.
- It would be nice to have a place where there will be coffee, books, etc.
- It is difficult to plan events outside.

ACTION: Approved with Conditions as amended: Delete Condition No. 3.

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

MOTION: 16678

11. 2003.0191C (M. LI: (415) 558-6396)
1400-1424 GRANT AVENUE - northeast corner at Green Street, Lot 019 in Assessor's Block 0115 - Request for conditional use authorization to establish a small self-service restaurant of approximately 740 square feet within the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District. There will be no physical expansion of the existing building.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd and W. Lee

MOTION: 16679

12. 2003.0080C (G. NELSON: (415) 558-6257)
2599 LOMBARD STREET - southeast corner at the intersection of Broderick and Lombard Streets; Lot 016 in Assessor's Block 0938 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install eight (8) cellular antennas and related equipment cabinets on the roof of the Pacific Motor Inn as part of Verizon's wireless telecommunication network, within the NC-3 (Moderate Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. The proposed antennas would be mounted behind an existing parapet and would not be visible from the street below. The related equipment would be housed in a new 16' wide by 17' long by 7' tall mechanical penthouse that would be partially visible from several uphill residences. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the project site is a Preferred Location Preference 4, as it is a commercial building in an NC-3 District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Without hearing, item continued to December 4, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

13. 2003.0224C (G. NELSON: (415) 558-6257)
600 VAN NESS AVENUE - northeast corner at Golden Gate and Van Ness Avenues; Lot 009 in Assessor's Block 0763 - Request for Conditional Use authorization pursuant to Section 209.6(b) of the Planning Code to install three (3) cellular antennas on the roof of McDonald's Restaurant and related equipment cabinets at grade level as part of Cingular's wireless network, within the RC-4 (Residential-Commercial Combined, High Density) District, the Van Ness Special Use District and a 130-V Height and Bulk District. The proposed antennas would be mounted within a 16" diameter, 6-foot tall false ventpipe. The related equipment would be housed in a new approximately 14' wide by 9' deep by 7' tall mechanical enclosure that would be partially installed in a currently landscaped area at the front (Van Ness Avenue) side of the building. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the project site is a Preferred Location Preference 4, as it is a commercial building in an RC-4 District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Tony Kim – Cingular Wireless

- This proposal is different from other proposals. This is a request to modify by removing two antennas and installing three panel antennas.
- The Civic Center area is a major destination of the City.
- The purpose of this installation is to improve interior and exterior service.
- The result is the same when a caller gets dropped calls or does not have access.
- The panel antennas will handle an extremely large number of calls for the area.
- They conducted community meetings, distributed notices to the residents etc. and the biggest concern that the Opera Plaza residents had was whether or not they would have to see the exposed equipment. To address their concern they have designed a redwood material to cover the antennas.

ACTION: Approved

AYES: Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell, Boyd and Feldstein

MOTION: 16680

- 14a. 2002.1203CV (G. NELSON: (415) 558-6257)
2601 VAN NESS AVENUE - northwest corner of Filbert Street and Van Ness Avenue; Lot 02A in Assessor's Block 0522 - Request for Conditional Use authorization pursuant to Sections 253 and 271 of the Planning Code to construct an approximately 65-foot tall 6-story, 61,400 square foot residential over commercial structure containing 27 dwelling units, 5 ground floor commercial units, and 33 off-street parking spaces in an RC-3 (Residential-Commercial Combined, Medium Density) District and a 65-A Height and Bulk District. The project site is currently a vacant lot. The proposal requires Conditional Use authorization because 1) it proposes a building greater than 40 feet in height in an R district and 2) the proposal is seeking to exceed the bulk limits for this District. This project is also seeking a Variance from the Planning Code, Case No. 2002.1203CV. Preliminary Recommendation: Approval with Conditions

SPEAKER(S):**(+) Lincoln Lew – Project Architect**

- Van Ness Avenue is a major thoroughfare. This project is appropriately designed.
- He has not received any phone calls in opposition to this project.
- This building will be a positive addition to the neighborhood.
- He hopes that the Commission will approve this much beneficial project.

(-) Ron Putambi

- He is a neighbor to the proposed site on the opposite side.
- He just purchased the Vagabond Hotel.
- His goal is to increase the revenue of the hotel.
- The tax revenue of the hotel is 14% of room sales so the City would benefit between by \$300,000 to \$460,000 a year in taxes if this hotel is successful.
- He talked to the city people and found out that the buildings that might be built in the area would be 40 feet.
- He measured the site. As he looked at the hotel, 30 percent of the rooms have views of the Golden Gate Bridge and the water.
- He was thinking of retiring and was planning to keep one of the rooms for him and his wife. The proposed building would be obtrusive.
- He requested that the meeting be postponed so that he could have time to talk with the developer and find solutions to these issues.

(+) Linda Cummins

- She has lived on Van Ness Avenue for many years.
- Her building is right next to the vacant lot of this proposed project.
- She is opposed to this project because it is already impossible to find a parking space in the area.
- She feels that this project will not add to the services. There are a number of great services in the area already.
- This building is not compatible with the buildings in the neighborhood.
- There would be an enormous impact on her and other people in the neighborhood.

ACTION: Approved with Conditions as amended:
 1) Amend Condition of Approval E4 to include the words "or rented" after the word sold.
 2) Limit retail square footage to no more than 2,500 square feet per retail space use.

AYES: Feldstein, Hughes, S. Lee, W. Lee
EXCUSED: Antonini
ABSENT: Bradford Bell and Boyd
MOTION: 16681

- 14b. 2002.1203CV (G. NELSON: (415) 558-6257)

2601 VAN NESS AVENUE - northwest corner of Filbert Street and Van Ness Avenue; Lot 02A in Assessor's Block 0522 - Request for Variance from Section 134 of the Planning Code to construct a 6-story mixed-use building into the required rear yard. Section 134 of the Planning Code states that the minimum rear yard depth in an RC-3 District shall be equal to 25 percent of the total depth of the lot on which the building is situated. Rather than leave a 25' wide gap in the Van Ness Avenue frontage, the proposal is to construct an approximately 40' X 25' portion of the project fully into the rear yard along Van Ness Avenue, leaving a comparable rear yard to the interior of the lot of approximately 2,300 square feet.

SPEAKER(S):

(+) Lincoln Lew – Lincoln Lew Associates Architects

- He did some studies and surveys of the buildings in the areas.

- The building would be more complete if it wrapped around the lot. This is the reason for the Variance.

(-) Lois Vovaldo

- She objects to the height of the building.

- The height of the proposed building will block the views of all the rooms in the hotel across the street and it will impact her light and air.

- Parking is very difficult also.

ACTION: Acting Zoning Administrator closed the Public Hearing and has taken the matter under advisement.

- 15a. 2003.0295CV (G. NELSON: (415) 558-6257)
899 NORTH POINT STREET - southeast corner of North Point and Larkin Streets; Lot 026 in Assessor's Block 0020 - Request for Conditional Use authorization pursuant to Sections 209.1 and 228.3 of the Planning Code to construct an approximately 40-foot tall, 4-story, 5-unit residential structure containing 7 off-street parking spaces in an RH-3 (Residential, House, Three-family) District, the Waterfront Special Use District No. 2 and a 40-X Height and Bulk District. The project site was formerly a service station and is now in use as a parking lot. This proposal requires Conditional Use authorization because 1) it proposes a dwelling unit density of greater than 3 units in an RH-3 District and 2) it proposes to convert a service station use to residential use. This project is also seeking a Variance from the Planning Code, case No. 2003.0295CV.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S): None

ACTION: Without hearing, item continued to December 4, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Boyd

- 15b. 2003.0295CV (G. NELSON: (415) 558-6257)
899 NORTH POINT STREET - southeast corner of North Point and Larkin Streets; Lot 026 in Assessor's Block 0020 - Request for Variance from Section 134 of the Planning Code to construct a 4-story residential building into the required rear yard. Section 134 of the Planning Code states that the minimum rear yard depth in an RH-3 District shall be equal to 25 percent of the total depth of the lot on which the building is situated. Rather than leave a 22' wide gap in the North Point Street frontage, the proposal is to construct an approximately 40' X 22' portion of the project fully into the rear yard along North Point Street, leaving a comparable rear yard to the interior of the lot of approximately 1,480 square feet.

SPEAKER(S): None

ACTION: Without hearing, item continued to December 4, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Boyd

5:00 P.M.

16.

(M. PUTRA/I. WILSON: (415) 558-6233/558-6163)

RESIDENTIAL DESIGN GUIDELINES - Presentation on the updated and expanded Residential Design Guidelines (Guidelines) for all residential projects in RH (Residential House) and RM (Residential Mixed-Density) zoning districts. This is a second hearing on the proposed Guidelines after receiving comments and recommendations from the public at the May 22, 2003 hearing, and at follow up meetings held by Department staff with interested individuals, neighborhood groups and other organizations. This hearing is to provide another opportunity for the public to comment on the draft Guidelines. No action is required by the Planning Commission. The Planning Commission may adopt the Guidelines at a future public hearing.

(Continued from Regular meeting of August 21, 2003)

SPEAKER(S):

Katherine Howard – Chair SPUR Sustainable Development Committee

- The committee has reviewed the May 2003 Residential Design Guidelines.
- She submitted a document with suggestions for amendments to the guidelines. The suggestions are geared to the following sections of the guidelines: Urban Design Principals, Neighborhood Character, Site Design, Building Scale and Form, Architectural Features and Building Details.

Alan Martinez – San Francisco Board of the Institute of Architects

- The Institute has not had a chance to completely review the guidelines but they are happy that their suggestions were included in this draft.
- There should be language related to unusual designed buildings.
- From time to time there will be buildings that they will want to allow exceptions for.
- PG&E has their own standards of where utility lines will go. So some issues will have to be coordinated in a specific way.

Bruce Bonacker – National Association of the Remodeling Industry/AIA

- They were very happy with these guidelines. He would expect that with some minor modifications they should be passed.

- One of the problems that their members have are the delays because of misunderstandings or the lack of clarity at the beginning of a project. A goal should be to develop on clarity, to the extent that it is possible.

- He asked the Commission to turn to staff and schedule in an 18th month period to do a re-review to see how well this is going to see if there are some tweaking to make things work better.

- He is very pleased that the Secretary of Interior Standards for Historic Preservations are used in these guidelines. He is just concerned that there are buildings with various levels of merit of a historical importance. It is important to be careful on how these standards are applied.

John Schlesinger

- He echoes his colleague's remarks in regards to being happy with the guidelines.
- There is one item in the guidelines that discusses the prevailing character with roofs. Sloped roofs can minimize the aspect of larger buildings. This item should not be overlooked.
- This is the time to direct staff to set a precedent on setting projects.

Terry Milne

- He too would like to commend staff on the guidelines.
- He appreciates the fact that the Planning Department has done a lot of detail on various aspects of design.

ACTION: Informational only. Staff will look into scheduling this for adoption on December 4, 2003.

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

None

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Adjournment: 5:45 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, NOVEMBER 6, 2003.

SPEAKERS: None
ACTION: Approved as Corrected
AYES: Antonini, Feldstein, Hughes, S. Lee
ABSENT: Bradford Bell, Boyd, W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

DOCUMENTS DEPT.

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, November 6, 2003

JAN - 7 2004

SAN FRANCISCO
PUBLIC LIBRARY

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Michael J. Antonini, Lisa Feldstein, Kevin Hughes, Sue Lee
COMMISSIONERS ABSENT: Shelley Bradford Bell, Edgar E. Boyd, and William L. Lee

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT ANTONINI AT 1:35 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Rick Crawford; Mary Woods; Glenn Cabreros; Michael Li; Michael Li; Craig Nikitas; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 1999.233E (W. WYCKO: (415) 558-5972)
833 – 881 JAMESTOWN AVENUE - Appeal of Preliminary Negative Declaration. The project sponsor proposes construction of a Planned Unit Development (PUD) that would consist of 198 one-, two- and three-bedroom market-rate condominiums on an approximately 6.9-acre lot, located at 833-881 Jamestown Avenue on Assessor's Block 4991, Lot 277, on the northern slope of Bayview Hill. The site is currently used as an overflow parking lot for events at Candlestick Park, which is approximately one-third of a mile southeast of the project site. The site is bordered by Jamestown Avenue (and single-family homes on the north side of Jamestown) to the north, another vacant lot to the east that also is used for parking for major events at Candlestick Park, the hillside to the south, and single-family housing to the west. Although the area proposed for development is mostly flat, development would require excavation of up to approximately 30 vertical feet at the base of the hill. The project would consist of 11 separate three- and four-story buildings: seven buildings of 12 to 18 units each along Jamestown Avenue and four buildings to the rear, at the base of the hillside. Of these latter four structures, two (36 units each) would be built atop one-story gated parking garages, while smaller buildings (one of eight and one of 10 units) would flank the garages. A total of 216 independently accessible parking spaces would be provided. The proposed project

would include landscaping along Jamestown Avenue, construction of a 10-foot-wide sidewalk, two off-street freight loading areas, and about 28,900 sq. ft. of common open space, including two rear yards at the base of the hillside totaling about 7,250 sq. ft. and podium- and ground-level patios. The project also would remedy an existing drainage problem on Bayview Hill above the project site, on Recreation and Park Department land. The project site is located within the South Bayshore Plan area, in an RH-2 (Two-Family) Use District and a 40-X Height and Bulk District. As a PUD, the project would require review and approval by the City Planning Commission pursuant to Sections 303 and 304 of the Planning Code.

(Proposed for Continuance to December 18, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to December 18, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

2. 2002.0658C (M. WOODS: (415) 558-6315)
735 - 7th AVENUE, southwest corner of 7th Avenue and Cabrillo Street, an "L-shaped" lot extending to 8th Avenue, between Cabrillo and Fulton Streets; Lot 36, in Assessor's Block 1650 - Request for conditional use authorization under Sections 121.1, 121.2, 151, 157, 204.5, 303, 711.11 and 711.21 of the Planning Code for lot size, use size and accessory parking for the construction of a new approximately 28,000 square-foot Safeway supermarket with up to 65 off-street surface parking spaces, to replace the existing approximately 16,000 square-foot Safeway supermarket, on an approximately 54,000 square-foot lot in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of September 18, 2003)

(Proposed for Continuance to November 13, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 13, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

- 3a. 20003.0904DV (J. MILLER: (415) 558-6344)
937 - 939 JACKSON STREET - south side between Powell and Mason; Lot 028 in Assessor's Block 0191 - Mandatory Discretionary Review of Building Permit Application No. 2003 0724 0318 proposing the demolition of a two-family dwelling and its replacement with a new building containing nine dwelling units. The subject property is located in an RM-3 (Mixed Residential, Medium Density) District and a 65-A Height and Bulk District.

Preliminary Recommendation: Do Not Take Discretionary Review and approve the Demolition Permit.

(Proposed for Continuance to November 20, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 20, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

- 3b. 2003.0535DV (J. MILLER: (415) 558-6344)
937 - 939 JACKSON STREET - south side between Powell and Mason Streets, Lot 028 in Assessor's Block 0191, in an RM-3 (Mixed Residential, Medium Density) District and a 65-A Height and Bulk District. The proposal is to construct a new four-story residential building containing nine dwelling units with a ground-floor garage containing nine off-

street parking spaces, after demolition of the existing two-family dwelling. A portion of the garage level (only) is proposed to project approximately 19 feet five inches into the otherwise-required rear-yard area, leaving an area open and clear (from the ground up) of 15 feet behind it. This proposed space would be devoted to three additional bedrooms and bathrooms, which would be appended to the two two-bedroom dwelling units at the rear of the floor above, making one of them a four-bedroom unit and the other a three-bedroom unit. The upper surface of this rear projection would be finished off as a usable open space. The application requesting a Variance will be heard by the Zoning Administrator.

(Proposed for Continuance to November 20, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to November 20, 2003

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

4. 2003.0873D (G. CABREROS: (415) 558-6169)
2524-2540 ANZA STREET - north side between 16th and 17th Avenues; Lot 023 in Assessor's Block 1528 - Request for Discretionary Review of Building Permit Application No. 2002.12.10.3209, proposing to add a new fourth floor to the existing three-story, four-unit building in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to January 8, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 8, 2004

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

5. 2003.0193D (R. CRAWFORD: (415) 558-6358)
244 GRANADA AVENUE - east side between Ocean and Holloway Avenues in Assessor's Block 6942 Lot 039 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 2002.10.28.0113, to demolish the existing one family house, in an RH-2 (Residential House, Two Family) District and a 40-X Height and Bulk district. There is a related proposal to construct a new two-family building.

Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Demolition Permit.

(Continued from Regular Meeting of October 16, 2003)

(Proposed for Continuance to January 8, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 8, 2004

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

6. 2003.1079D (R. CRAWFORD: (415) 558-6358)
3344 MARKET STREET - northeast side between Glendale and Clayton Streets. Assessor's Block 2717 Lot 004F. Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition of Demolition Permit Application No. 2003.06.26.8149, to demolish the existing one family house and construct a new one family house in an RH-2 (Residential House, Two Family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review, and approve the Demolition Permit.

(Proposed for Continuance to January 8, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 8, 2004

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

7. 2002.0418T (P. LORD: (415) 558-6311)
SECONDARY UNITS - Consideration of an Ordinance amending the San Francisco Planning Code by repealing Section 207.2 [Second Unit] in its entirety, adding new Section 207.2 and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit Center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and adopting findings.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of October 16, 2003)

(Proposed for Indefinite Continuance)

SPEAKER(S):

Eileen Boken

- This legislation is unnecessary.
- The exemptions of 1984 are not "old" legislation.
- She is in favor of the continuance.

Marilyn Amini

- This legislation needs to be continued until the NCT rezoning legislation is put on the table at the same time for public review.
- She displayed a map of the NCT and Secondary Unit areas.
- Documentation shows that the Secondary Units legislation and the NCT legislation were drafted to implement and enable the Housing Element transit corridor proposal.
- Putting it in a mathematical formula: transit corridors equal secondary unit legislation plus the NCT legislation.

Jean Thomas

- She has lived in the Sunset district for about 30 years.
- She recently heard about this legislation.
- This item should definitely be continued and the Commission should be specific about what will happen after today.

Kate White – Housing Action Coalition

- She is disappointed that this item will be continued.
- She looks forward to hearing this item in the future.
- This legislation has made a lot of sense.

Frank Bauman

- This legislation should be continued.
- He believes that the public has not been very well informed.
- He just found out about it.

ACTION: Without hearing, item continued indefinitely

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

8. 2003. 0918D (E. TOPE: (415) 558-6316)

749 CORBETT AVENUE – east side of Corbett Avenue between Romain and Morgan Alley; Lot 013 in Assessor's Block 2755 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers. Building Permit Application No. 2003.06.20.7358, proposes to convert a three-unit building to a two-unit building. This property is located in an RM-1 (Mixed Residential, Low Density) District and 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve the proposed dwelling unit merger.
(Discretionary Review Application Withdrawn)

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn.

B. COMMISSIONERS' QUESTIONS AND MATTERS

9. Consideration of Adoption – Draft Minutes of October 16 and 23, 2003.

Minutes of October 16, 2003:

SPEAKER(S): None

ACTION: Approved as corrected/modified and read into the record.

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

Minutes of October 23, 2003

SPEAKER(S): None

ACTION: Approved as corrected: Correct the public comment of Bruce Bonacker on page 11.

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

10. Commission Comments/Questions
None

C. DIRECTOR'S REPORT

11. Director's Announcements

Re: Items on Upcoming Calendars:

- Modifications for the DR process – This will be on the calendar for November 20, 2003.

- Rincon Hill Plan – This will be scheduled on December 4, 2003. One of the stumbling blocks for the Environmental Impact Report were the funds but that problem has been solved. A public draft of the EIR will be available within the next six months.

- Eastern Neighborhoods – This is on calendar for November 13, 2003. Staff will be focusing on three items: 1) proposals for the interim policies or interim controls; 2) discussion on the environmental review process; 3) refinement of the production/distribution repair definition. There will be a document on the socio-economic impacts or socio-economic study so that people can start thinking about this. This issue will be before the Commission to obtain a hearing date.

- Director Green will be at the hearing of November 20, 2003.

12. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
Items before the Land Use Committee:

Re: Rincon Hill and Transbay Terminal

- Staff joined the Redevelopment Agency for a presentation of the Transbay Area Plan and Transbay Terminal.

- These two projects have been over the years one project, then two projects. They have also been under the joint jurisdiction of the Planning Department and the Redevelopment Commission. The projects are now under the separate jurisdiction of these departments although they are linked spatially.
- There was no action taken. The Board of Supervisors had very pertinent questions. They were concerned about 201 Folsom and 300 Spear and how this project fit into the thinking of the department regarding Rincon Hill.

Re: 17th and Rhode Island

- The Planning Commission approved a reclassification and a project for 150-dwelling units and a 40,000 sq. ft. retail space.
- This was heard at the Board of Supervisors and it was passed at the first reading.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

(-) Alan Kessler

- He is still in discussion with the project sponsor regarding the impact he will receive because of the height of this structure.

(+) Stephen P. Johnston, AIA

- He displayed a map of the lots and the length of the homes that are adjacent to the subject property.
- There are two adjacent neighbors who are in support of the project.
- He displayed photographs of the homes in the neighborhood.

(+) Ciaran Woods – Project Sponsor

- He has been speaking with his neighbors and they have been in support of the project.
- This project will be for his wife and children.

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

13. 2003.0863D (R. CRAWFORD: (415) 558-6358)
555 VALLEY STREET - south side between Castro and Diamond Streets in Assessor's Block 7536 Lot 023 - Request for Discretionary Review of Building Permit Application No. 2003.04.24 3036, to construct a 37 foot long, four story addition to the rear of the existing 25 foot long, three story single family dwelling in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve Building Permit Application as submitted.
NOTE: On September 25, 2003, following public testimony, the Commission closed the public hearing and continued the matter to October 16, requesting better plans of the surrounding area by a vote of +6 –0. Commissioner William Lee was absent.
 (Continued from Regular Meeting of October 16, 2003)

SPEAKER(S): None

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

14. 2003.0700DD (R. CRAWFORD: (415) 558-6358)

565 CLIPPER STREET - south side between Douglass and Diamond Streets. Assessor's Block 6556 Lot 021 - Request for Discretionary Review of Building Permit Application No. 2003.03.07.9076, to construct a new third floor and a three story rear addition to the existing two story single family dwelling in an RH-2 (Residential House, Two Family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications.

NOTE: On September 11, 2003 following public testimony the Commission closed the public hearing and continued this item to November 6, 2003 requesting plans from the Project Sponsor.

(Continued from Regular Meeting of September 11, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 8, 2004.

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

F. REGULAR CALENDAR

15. 2003.0862D (R. CRAWFORD: (415) 558-6358)
125 VILLA TERRACE - east side between Pemberton Place and Greystone Terrace. Assessor's Block 2719 Lot 028 - Request for Discretionary Review of Building Permit Application No. 2003.04.03.1330 to construct additions to the rear and the northwest side to the existing single family dwelling in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review, and approve the Building Permit Application as submitted.

SPEAKER(S):

Re: Continuance

Jeffrey Kors – Discretionary Review Requestor

- Because there are only four Commissioners today, he would rather have this case continued because it puts him in an unfair position.
- He would like to have this case continued until there is a full Commission.

Jeremy Paul – Representing the Project Sponsor

- He is not in agreement with the continuance. The holidays are coming up and it will be harder and harder to get a spot on the calendar.
- He would like to have this case heard today.

Re: Merits of Project

(-) Jeffrey Kors

- He filed a discretionary review because there will be a 9-foot building next to the porch he has towards the back part of his house.
- A window will also be completely blocked which will diminish his light and air.

(+) Jeremy Paul

- This is a very responsibly designed project.
- He displayed the site plan of the project.
- He also gave a PowerPoint presentation.

(+) William Froming

- He is a neighbor and has lived in the neighborhood for 14 years.
- He does not believe that this project will change the neighborhood.
- This is a lovely neighborhood.

ACTION: Did not take Discretionary Review and approved the project as proposed.

AYES: Antonini, Feldstein, Hughes, S. Lee
 ABSENT: Bradford Bell, Boyd, W. Lee

16. 2003.1027D (M. WOODS: (415) 558- 6315)
1127 FILBERT STREET - south side between Leavenworth and Hyde Streets; Lot 037 in Assessor's Block 0097 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2003.05.01.3561, proposing to merge one unit on the third floor with a unit on the fourth floor in an existing 4-unit building in an RH-3 (Residential, House, Three-Family) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and disapprove the proposed dwelling unit merger.

SPEAKER(S):

(+) **Toby Long – Project Architect**

- The original plan was to renovate the third floor studio.
- But after a few life-changing incidents, the project sponsor needed to live in a large space so he decided to merge the units.
- The simple changes will improve the quality of life for the project sponsor.
- The housing crisis is slowly being resolved with new multi unit structures.

ACTION: Hearing Held. Item continued to January 8, 2004. Absent commissioners are to receive/review the hearing tapes.

AYES: Antonini, Feldstein, Hughes, S. Lee
 ABSENT: Bradford Bell, Boyd, W. Lee

17. 2003.0859D (M. LUELLEN: (415) 558-6478)
643 GREENWICH STREET - south side, between Powell and Stockton Streets, Lot 026 in Assessor's Block 0089 - Discretionary Review request for building permit No. 2002.11.27.2429 to allow the addition of a full third floor and smaller fourth floor to the existing residence. The existing building is a one-story, single-family dwelling over garage, with frontage on Greenwich. A second structure at the rear of the lot is to remain as is and is not part of this project scope. The property is located in the RM-3 (Residential, Mixed, Medium Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Permit Application.
 (Continued from Regular Meeting of October 16, 2003)

SPEAKER(S): None

ACTION: Discretionary Review request withdrawn

18. 2003.0742D (G. CABREROS: (415) 558-6169)
666 – 24th AVENUE - east side between Anza and Balboa Streets; Lot 026B in Assessor's Block 1566 - Request for Discretionary Review of Building Permit Application No. 2003.01.29.6271, proposing a horizontal and vertical addition at the rear of an existing two-story, single-family residence in an RH-2 (Residential House, Two-Family) District and a 40-X Height and Bulk District. The project proposes a partial third floor at the rear half of the residence and a 7-foot 3-inch horizontal addition from the existing rear wall at all three floors.
 Preliminary Recommendation: Do not take Discretionary Review and approve the application.

SPEAKER(S):

(-) **Betty Wang**

- The proposed house is located to the south of her house.

- The project will shadow her light well. She does not want to stop the project but she requests a set back of three feet at the light well so that her light will not be minimized.
- She has not been able to get far speaking to the project sponsor.

(-) Art Lam

- He lives next door to the project sponsor.
- He supports taking Discretionary Review.
- Any addition, no matter how tall or short, will block light and air to his home.

(+) Denise Lindsay – Project Designer

- The most important thing is that the Discretionary Review requestor's light well is covered.
- His design of the project will not block any light to the neighbor's property.
- The project sponsor looked around to purchase another property but was unsuccessful so he decided to expand his property.

ACTION: Did not take Discretionary Review and approved the project as proposed.
AYES: Antonini, Feldstein, Hughes, S. Lee
ABSENT: Bradford Bell, Boyd, W. Lee

19. 2003.0914D (G. CABREROS: (415) 558-6169)
2518 FILBERT STREET - north side between Divisadero and Scott Streets, Lot 007 in Assessor's Block 0944 - Request for Discretionary Review of Building Permit Application No. 2003.04.03.1374, proposing to construct a three-story horizontal addition to the rear of the existing four-story, single-family residence in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Decks are proposed as part of the horizontal addition at the level of the second and third floors. Front facade alterations are also proposed.
 Preliminary Recommendation: Do not take Discretionary Review and approve the Application.

SPEAKER(S):

(-) Lou Blazej

- There are exceptional and extraordinary circumstances with this project.
- He asks that the Commission take Discretionary Review and modify the project.
- He displayed a map with the various lots on the block showing the open space pattern of that block.
- Although the proposal is modest, it has a devastating impact on the Discretionary Review requestor.
- The guidelines ask for good neighbor gestures, so he is asking that they comply.

(-) Elizabeth Gordon – Discretionary Review Requestor

- She has lived in her house for about 30 years.
- The Cow Hollow Neighborhood Association does to approve of this project.
- There are various neighbors who are present who oppose the project.
- She asked them to stand up (about 15 people stood up).
- She would like side setbacks on the proposed project.

(-) Thomas Potts

- He recently read the project report and analysis and it is very difficult to understand.
- The project sponsor has ignored the good neighbor guidelines.

(-) Brook Sampson – Director of the Cow Hollow Association

- They have been in opposition to this project as proposed for a long time. They were willing to discuss the issues of why they are opposed to this project.
- She read a section of the Neighborhood Design Guidelines specifying why they are not in support of the project.

(-) Betty Holden

- He lives across the street from the project.
- He is in favor of taking Discretionary Review and modifying the project.

- The project sponsor has not made any changes at all.
- It is important to him to maintain the notch between the two buildings.
- The project sponsor should honor the Neighborhood Design guidelines.

(+) Jim Reuben – Representing Project Sponsor

- He is very appreciative that the Commission is looking to analyze the DR process.
- This DR project has become more of a "popularity contest" than a planning project.
- The conditions stated by the Discretionary Review requestor are minimal.
- Even the Neighborhood Design Guidelines are subjective.

ACTION: Did not take Discretionary Review and approved the project as proposed.

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

20a. 2003.0476DV

(M. LI: (415) 558-6396)

1120-1122 VALLEJO STREET – north side between Jones and Leavenworth Streets; Lots 055 and 056 in Assessor's Block 0126 – Request for Discretionary Review of Building Permit Application No. 2003.07.24.0318 proposing the construction of an enclosed pavilion on the roof of the existing three-story building and the enclosure of two areas at the rear of the building that are currently unenclosed. The subject property is located in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project as modified by Department staff.

SPEAKER(S):

Re: Continuance

Christopher Moscone

- He requested that this matter be moved because there are only four Commissioners today.
- He represents the Discretionary Review requestor.
- This case is not a simple matter.

John Glugoski

- He lives across the street from the property and he seconds the request to have this case moved.

Jay Cappella

- He does not want to be postponed. The hearing date for this case has been postponed many times. During that time, there have been a lot of discussions and many issues have been resolved.
- His wife is expecting a baby and delaying the project would impact his family life quite negatively.

Re: Merits of Project

(-) Christopher Moscone – Representing Discretionary Review Requestor

- This project has changed many times from the beginning.
- The variance is asking to further increase and encroach the non-compliance aspect of the project.
- There is no need to have a variance. He believes that the project sponsor could build without a variance.
- Developing a simple roof garden would be a solution.
- It is the responsibility of the Acting Zoning Administrator to allow the smallest variance allowable.

(-) Bruce Bonacker – Project Architect

- He displayed a map of the assessor's block in order to show the mid-block open space and demonstrate that the DR requestor does not have the benefit of a mid-block open space.

- The DR requestor's rear yard is quite important with regards to privacy and sun.
- He displayed a photograph of the DR requestor's view to their yard.
- The rear windows on the DR requestor's back yard that are very close to the project sponsor's rear windows, so there are issues with privacy.

(-) Melissa Conroy Whitney

- She and her family live on Jones Street adjacent to the proposed project on Vallejo Street.
- They have been trying to make a home for themselves, but this project will cause a real significant cost to her family.
- The project sponsors have not contacted them regarding this issue.
- They are concerned about the privacy impact of this project and request that fixed and obscure glass be installed on any windows on the second, third or fourth floor rear addition.
- Their bedroom windows are less than 10 feet from the proposed kitchen addition. Their child's bedroom is in line of site of all three levels of construction.
- She opposes the fourth floor level because of the light impact it will have.

(-) John Glugoski

- He lives on Vallejo Street.
- He submitted a letter regarding the reasons for his opposition to this project.
- He understands that the project has changed, and that this information only went out 24 hours ago. This is not enough time for everyone to look through the new plans.
- If the project goes through, it will create a tremendous invasion of privacy.

(-) Catherine Ferrera

- This project is a huge concern to her and her sister.
- There has been misleading information given to them.
- The project will encroach on their privacy. It will increase the noise and impact their garden.
- They have tried to negotiate but have not been met with a compromise.

(+) Jennifer Cherk – Project Sponsor

- She displayed a lot plan of her property.
- She has a very modest sized lot. It is actually the smallest on the entire block.
- Her property is not directly facing the DR requestor's property.
- The south facing window has a distance of 18 feet from the DR requestor.
- She has been trying very hard to solve privacy issues. They have proposed obscured glass and setbacks.
- She has been in this house for 15 years, first as a renter then as a property owner [as a tenancy in common]. She is the third generation to live on this property.

(+) Susan (Bo) Lee – Co-Owner

- They have very small units.
- She is the owner of the second floor.
- She does not have very much space to expand.
- She has asked the DR requestor to prove what harm there would be if there was no obscure glass.
- She mitigated the sound of the DR requestors back yard living area by installing double pane glass.
- She does not have a back yard.

(+) Jon Ridenour

- There is a neighbor who is complaining about losing privacy yet the project is actually building in a privacy factor.
- He feels that this DR is more about keeping the project sponsor from seeing into the DR requestor's garden than it is about any issues that are going to involve their life to an extraordinary circumstance.

(+) George Hauser – Architect

- He can assure the Commission that there has been plenty of interaction on this project.
- He does not think that there were any issues with the second floor expansion in regards to the variance.

- There was an issue with the obscure glass because it is unnecessary to restrict a project in this way.
- The project architect has done a great job in designing this project to be aesthetically pleasing to the neighborhood.

(+) Dart Cherk – Project Architect

- He requested that the Commission approve this project.
- He grew up in this house. He is the father of the co-owner.
- He was trained to always consider all things.
- This project does not impact the neighbors.

(+) Jay Capela

- He has really made an effort to reach out to the neighbors.
- He wants to move the project forward.
- He disagrees with the recommendation made by the planner that there was no need for a bathroom on the fourth floor. His family is growing and he feels that there is a need for the bathroom.

(+) Esther Cherk

- She has watched the agony of her daughter with this project and all the compromising she has had to do.
- She thought that a compromise had been accepted except for a mere three feet.
- Her husband is an architect that really believes in community and considerate designs.
- They have gone to the PG&E center various times to study the shadow impacts which is not much of an impact.

MOTION No. 1: Take Discretionary Review and approve the project based on the October 29, 2003 plans.

AYES: Feldstein, Hughes, S. Lee
 NAYES: Antonini
 ABSENT: Bradford Bell, Boyd, W. Lee
 RESULT: Motion Failed

MOTION No. 2: Take Discretionary Review and approve the project based on the November 5, 2003 plans.

AYES: Antonini, Hughes, S. Lee
 NAYES: Feldstein
 ABSENT: Bradford Bell, Boyd, W. Lee
 RESULT: Motion Failed

ACTION: In the absence of a third motion, the Commission did not take an action and the project is approved as submitted.

- 20b. 2003.0476DV (M. LI: (415) 558-6396)
1120-1122 VALLEJO STREET - north side between Jones and Leavenworth Streets; Lots 055 and 056 in Assessor's Block 0126 - Rear yard variance sought. The proposed project is the construction of an enclosed pavilion on the roof of the existing three-story building and the enclosure of two areas at the rear of the building that are currently unenclosed. The subject property is within an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District. A rear yard of 15 feet, measured from the rear property line, is required for the subject property. The proposed roof pavilion will extend to within 3'6" of the rear property line and encroach into the required rear yard. The application for variance will be considered by the Zoning Administrator.

SPEAKER(S): None

ACTION: Acting Zoning Administrator closed the Public Hearing and will render a decision in the next two weeks.

21. 2003.0091AC (T. TAM: (415) 558-6325)

333 DOLORES STREET - east side between 16th and 17th Streets; Lot 57 in Assessor's Block 3567 - Request for a Conditional Use authorization pursuant to Planning Code Sections 209 and to allow the expansion of an existing institutional use (Children's Day School), located on a portion of a designated city landmark (Landmark No. 137). The proposal is to construct three (3) 24' x 40' temporary prefabricated classroom trailers. The Certificate of Appropriateness for this project was heard before the Landmark Preservation Advisory Board on September 17, 2003 and approved by the Planning Director on September 29, 2003. The property is located in RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of October 2, 2003)

SPEAKER(S):

Re: Continuance

(did not state name)

- He is not in agreement with the continuance.
- He took off work today and he would like to have it heard today.

Tracy Kirkham

- The reason for the continuance is because they are in dialogue with one of the Commissioners so that they can completely flush out the concerns of health and safety.

(did not state name)

- He believes that this case should be continued longer.
- The reason for the continuance is because Children's Day School did not post the notice properly. That is the reason why he would like to have this item continued longer.

ACTION: Without hearing, item continued to November 13, 2003.

AYES: Antonini, Feldstein, Hughes, S. Lee

ABSENT: Bradford Bell, Boyd, W. Lee

4:30 P.M. 6:45 p.m.

22.

(C. NIKITAS: (415) 558-6306)

RESIDENTIAL DEMOLITION POLICY - A proposal to modify and refine interim criteria to implement a Temporary Residential Demolition Policy requiring mandatory Discretionary Review of all dwelling unit demolitions not requiring Conditional Use authorization, with certain exceptions; to adopt a specific Soundness Determination process; and to adopt criteria for conformity with applicable General Plan policies and objectives; and a recommendation to apply this policy for an approximate six-month period, after which a long-term policy would be presented for consideration and adoption by the Commission.

Preliminary recommendation: Adopt the Temporary Residential Demolition Policy.

NOTE: On November 6, 2003, following public testimony, the Commission kept the Public Hearing open and continued to this item to December 11, 2003.

SPEAKER(S):

Cris Durazo – South of Market Community Action Network

- She urged the Commission to vote in favor of this when there is a full Commission.
- Exhibit 3 doesn't put a measurement on how there are no out-of-compliance votes. When does a project not get approved?
- This would be a concern of hers.
- She likes the fact that the Planning Department is making this more systematic.
- She is glad that this is also becoming more scientific.

- In Recommendation 14, which talks about rental protection, it does say that the Commission will look at the loss of rental stock. She is concerned that the proposed housing is not being 1:1. It is important to look at affordability.
- Housing stock should include affordability.

Jeremy Paul

- He has been before the Commission on many demolition cases.
- Staff has done a very good job on this.
- He is in support of a guideline but is very reluctant to support anything that will limit the discretion of this Commission.
- This discretion should be respected.
- People should keep clearly in mind what they want to protect.
- This will encourage a lack of maintenance, a lack of sound stewardship of properties.
- The project sponsor should be clear about what they want to do with a project.

Patrick Buscovich

- Guidelines are very important. He has seen reports and sometimes he does not even know what is being discussed.
- Discretion is important for the Commission.
- The \$200 value is ok with him.
- It is important to not look at this analysis by quantity. It is important to look at them in a quality manner.
- It is important that planners do site visits.
- Long term viability is very important as well.

Hiroshi Fukuda – Richmond Community Association

- Staff mentioned that there were not [many] comments on this policy, yet not that many people know about it.
- One of the more important aspects of this policy is cost.
- This item needs to be continued.

Maria Sousa – Board of Directors of the Planning Association of the Richmond District

- They only became aware that this was on the agenda this week.
- They were able to get the case report on Tuesday so their comments are not as complete as they would like.
- They would like to commend staff on a clear and earnest effort in developing the written criteria.
- Demolitions have been historically controversial. In their district, there have been more than 35 in the last 12 months.
- Recommendation No. 6 – they feel that there is little consideration on how a building that will be demolished will affect the policy that existing housing needs to be preserved and protected.
- There is nothing that prohibits the author [of the soundness report] from being involved in another project with the project sponsor.
- Staff does not have enough expertise on demolition reports.
- There should be a higher threshold than the 50 percent.

Judith Berkowitz – EMIA, CSFN

- There is pending revisions to the Residential Design Guidelines as well as Discretionary Review Proposals.
- There is no consideration of these proposals with the demolition policy.
- In the discussion under rental protection, there is no reference to the fact that many of the demolitions that are being approved are previously owner-occupied homes. The replacement buildings are multi housing units.
- Greater weight should be placed on preserving housing and neighborhood character.
- They question staff on wanting to adopt a demolition policy on criteria based on new policy demolition of family housing in recommendation 17.
- She appreciates the fact that there will be no action taken this evening.

Beatrice Franklin

- She is a resident of Trinity Plaza.

- Trinity Plaza is proposed for demolition.
- The plaza has a variety of people like, families, single people, etc.
- She is looking for all the support they can receive.

Terry Milne

- He is unclear about this proposed policy.
- Will the structure of this policy reduce the number of Discretionary Reviews?
- Does staff have any numbers on how this policy will reduce the workload for Commissioners?

Joseph Bradford

- He lives on Potrero Hill.
- He just submitted an application at the Planning Department and was not told of this hearing.
- He recommends that people at the counter be more educated on everything that is going on.
- More information should be placed on the website as well.
- He asked that the Commission as well as staff look at the per square foot value as another way of evaluating a house.

Sue Hestor

- She submitted a list of the last demolitions approved by the Commission by Districts.
- Staff has done a very admirable job on getting this out to the community.
- It is a good idea to keep this in the context of the major exterior alteration legislation as well as the residential design guidelines.
- She disagrees that a cottage only has the value of a "tear downer".
- Because of the lack of clarity of the policy, everything is considered a "tear downer."
- It is important that staff do site visits.

ACTION: Meeting Held. Public Comment Remains Open. No Action Required by Commission. Item continued to December 11, 2003.

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 8:26 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, DECEMBER 11, 2003.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Feldstein, Hughes, S. Lee

EXCUSED: Bradford Bell, Boyd, W. Lee

3/03

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, November 13, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

JAN - 7 2004

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Lisa Feldstein,
Kevin Hughes, Sue Lee

COMMISSIONERS ABSENT: William L. Lee

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:39 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning
Administrator; Nora Priego – Transcription Secretary; Jonas Ionin – Acting Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 2003.0794C (G. CABREROS: (415) 558-6169)
1728-1748 HAIGHT STREET - north side between Shrader and Cole Streets, Lot 035 in Assessor's Block 1229 - Request for Conditional Use Authorization under Planning Code Section 719.21 to allow a retail space at the ground floor over 2,500 square feet in area. The proposal is for tenant improvements to establish an 8,733 square-foot retail space. Urban Outfitters, a youth-oriented retailer of men's and women's wear, home furnishings and accessories, would occupy the retail space. The subject property is within the Haight Street Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to December 4, 2003)

SPEAKER(S):

Re: Continuance

Greg Gaar – Haight Ashbury Neighborhood Council

- They agree that this item should be continued to December 4, 2003 because there is another large project proposed nearby that could affect the neighborhood.
- They would like to have both of these major developments scheduled for hearing on the same day.

- They are having a membership meeting and they will be discussing these project in the near future.
- He hopes that the Commission will grant continuance.

Mathew Brennan

- He would like to have this case continued to December 4, 2003.

ACTION: Without hearing, item continued to December 4, 2003.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee

2. 2003.0183D (G. NELSON: (415) 558-6257)
2477-2479 SUTTER STREET - south side between Broderick and Divisadero Streets; lot 022 in Assessor's Block 1076 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions of Demolition Permit Application No. 2002.08.13.3876, proposing the demolition of a two-story, two-family dwelling within an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story, three-family dwelling with three off-street parking spaces.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Continued from Regular Meeting of September 25, 2003)

NOTE: On September 25, 2003, following public testimony, the Commission closed the public hearing, and entertained two motions: 1) to take Discretionary Review and disapprove by a vote +3 -3. Commissioners Boyd, Antonini, Bradford-Bell voted no. The motion failed; 2) continued the matter to October 16, 2003 by a vote +6 -0. Commissioner William Lee was absent.

NOTE: On October 16, 2003, the Commission entertained two motions: 1) To take Discretionary Review and disapprove the demolition, by a vote +3-3. Commissioners Antonini, Bradford Bell, W. Lee voted no. Commissioner Boyd was absent. The motion failed. 2) Item Continued to November 13, 2003, the Commission requested that a representative from another City Department review the soundness report, by a vote +4 -2. Commissioners Hughes and S. Lee voted no. Commissioner Boyd was absent.

(Proposed for Continuance to November 20, 2003) December 11, 2003

SPEAKER(S): None
ACTION: Without hearing, item continued to December 11, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee

3. 2003.0277E (N. TURRELL: (415) 558-5994)
1725 WASHINGTON STREET - Assessor's Block 0619, Lot 015 - **Appeal of a Preliminary Mitigated Negative Declaration.** The 6,384-square-foot project site is located at 1725 Washington Street, between Polk Street and Van Ness Avenue in the lower Nob Hill neighborhood. The proposed project would involve the demolition of an approximately 11,435-gross-square-foot (gsf) 23-foot tall vacant church building (formerly the Lutheran Church of the Holy Spirit), and construction of an approximately 24,841-gsf, five-story, 50-foot-tall residential building containing 16 units and 16 off-street parking spaces. Pedestrian and vehicular access to the proposed residential building would be from Washington Street. The site is in the Polk Street Neighborhood Commercial District, and is in a 65-A height and bulk district.

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration

(Continued from Regular Meeting of September 18, 2003)

(Appeal of the Preliminary Mitigated Negative Declaration Withdrawn)

SPEAKER(S): None
ACTION: Appeal of the Mitigated Negative Declaration was withdrawn.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee

ADDENDUM ITEM:

2003.0900D (K. SIMONSON: 415-558-6321)
42 BEAUMONT AVENUE - east side between Geary Boulevard. And Anza Street, Lot 22 in Assessor's Block 1086 – Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Building Permit Application No. 2002.11.01.0541, proposing to demolish a two-story building containing one dwelling unit. The subject property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve demolition as submitted.
(Proposed for Continuance to November 20, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to November 20, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee

2003.0866V (K. SIMONSON: 415-558-6321)
42 BEAUMONT AVENUE - east side between Geary Boulevard. And Anza Street, Lot 22 in Assessor's Block 1086 – Request for Variance to Rear Yard requirements to allow construction of a new four-story building, a portion of which would be located in the required rear yard. The first, second and third floors of the four-story building would extend 5 feet 9 inches into the required rear yard, and exterior stairs to the third floor level would extend an additional 6 feet 8 inches into the required rear yard. The building would contain two dwelling units. The subject property is in an RH-2 (Residential, House, Two Family) District and a 40-X Height and Bulk District.
(Proposed for Continuance to November 20, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to November 20, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS**4. Commission Comments/Questions****Commissioner Sue Lee:**

- She requested that staff calendar for discussion the subject of alternating DR and CU calendars just to get feed back from the Commissioners, staff and public. She would like an opportunity to evaluate how this is going.

Acting Commission Secretary Jonas Ionin responded:

- Recommended that the next available hearing would be December 11, 2003.

Commissioner Lisa Feldstein:

1) She received from Mr. Samaha of staff some legislation regarding a special use district. She was under the impression that there was to be some legislation in the CPC Folder that was introduced by Supervisor Daly -- it was supposed to be in their correspondence folder.

Acting Director responded:

- He will check on that. He is aware that whenever legislation comes into the office it is immediately forwarded to the Commission via their correspondence folders.

2) She attended the annual conference of the California County Planning Commissioners Association. She discovered that they have nothing in common with any other county including the fact that they [other counties] get paid a lot more to work fewer hours. The conference was very interesting to her. One of the things that struck her was although the issues that other counties are dealing with have to do with the interfaces between the cities within those counties and the surrounding lands, some of the solutions that the counties have crafted for diverse uses of land "bumping" up against each other would be helpful to the Commissioners to consider as they continue to look at uses of industrial land. Especially in regards to the interaction between agricultural land and housing where many of the same issues: noise, machinery, equipment and chemicals comes up.

3) She requested that the hearing be adjourned in memory of Nicholas Summerfield who was a kindergarten student at her daughters school who was struck by a car on his way to school on Tuesday of this week.

Commissioner Antonini:

1) He spoke before the North Beach Neighbors regarding Commission issues.

2) RE: The Mills Corporation question that has come up about usage. He realizes that this might be a Port issue but he wanted to bring this up to the Commission and to the Acting Director as well as the City Attorney. He wants to know if the Commission has any jurisdiction on this.

3) There was an article in the San Francisco Business Times regarding the Century and the Transbay Terminal. There was mention that the City has moved the Transbay Terminal 100 feet to the west. He wants to know what procedure there should be on this and whether or not the Commission should be involved on this.

Commissioner Boyd:

- He thanked staff for the hard work that everyone has done.
- The Commissioners always have requests and staff has always been available and quick in providing information.

Commissioner Bradford Bell:

- She sent her condolences to the family of Nicholas Summerfield.
- She congratulated the Commissioners on their first year as Commissioners.

C. DIRECTOR'S REPORT**5. Director's Announcements****Re: Bloomingdale's/Emporium Project**

- He attended the "groundbreaking" ceremony for this project.
- He was delighted to get this project "off the ground".
- The area has not been too pedestrian friendly. This project will be a wonderful thing for the area.

Re: Calendars**Re: Future Calendars**

- The Commission calendars are really full over the next month and a half.

- He asked for the forbearance of the Commissioners.

Re: Director Green

- Director Green will be attending the November 20, 2003 hearing.

Re: Question from Commissioner Antonini:

- The Mills Corporation project on Pier 27-31, he believes that this project came before the Commission as a general plan referral. If there are significant changes in the project it is conceivable that it would have to come back to the Commission.

Re: The Century Project

- This is also known as Natoma Mews and 72-80 Natoma. This is a residential project that was approved by the Commission for the last time in the late 90s. It is a 400 foot tall residential building with about 500 units. They have commenced construction but there was a delay. In the Business Times there was some concern that with the Transbay Terminal moving East it might be on this site or there might be a conflict on this site. DBI needs to make a decision on this. If the project is still in general conformity with the plans then they can proceed. He believes that the Department cannot hold a project that is entitled because the City or the Redevelopment Agency or MTA has other plans for the project. If ultimately the City or the Agency or other government agency believes that they need that property for the Transbay Terminal it is up to that entity to come to a negotiated settlement with the project sponsor or proceed in inverse combination. The department acting as a permit processing department in this case is opposed to a long term planning process, the department must process the permits or else the department would be subject to suit for delaying the project.

Re: Commissioner Boyd's Comments

- He thanked Commissioner Boyd for complementing staff.

6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None

BOA –

- There were eight items that dealt with the Planning Department and there were three that dealt with decisions made by the Commission.

Re: 701 Lombard Street

- The request to reopen this case failed by a vote of +2 -2.

- There was a case heard under Discretionary Review. A homeowner wanted to have a funicular installed in his home because he could not go up the stairs. The Commission approved this project. This went to the BOA and they upheld the Commission's decision.

Re: 1331 Green Street

- This property is where Imogene Cunningham used to live.

- The Commission had disapproved, upheld the variance that was disapproved. The Commission disapproved a new building in front. There was a proposal to change that so that proposal failed so the building is still going to be built in the front.

D. REGULAR CALENDAR

7. (L. BADINER: (415) 558-6411)

COMMISSION ACTION LIST – Discussion of status on items on the action list, which details the Planning Commissioner's requests.

Commissioner Antonini:

1) He wants to know the status on a Spreadsheet from the dollars of all governmental resources that have been allotted toward affordable housing in San Francisco.

Response by Acting Director: MOH/RED are putting this information together.

2) What is the status of a joint hearing with the Planning Commission and Board of Supervisors?

Response by Acting Director: At the November 20, 2003 hearing there will be discussion on the management audit. There are some requests for that. This can be taken up at that time. The BOS will be organizing an audit committee and they will be working on how the Board of Supervisors and the Planning Commission want to work in a more formal way.

Commissioner Hughes:

- He requested that an item on July 24, 2003 be deleted because it was more of a comment rather than a request or action item.

Commissioner Sue Lee:

- She requested that all items that have been resolved be deleted.

Commissioner Bradford Bell:

1) She requested that staff look at the 2004 calendar and start scheduling joint hearings.

Response by Acting Director: He recommended that perhaps at a hearing in February of 2004, there could be staff from various departments come to provide presentations.

2) She requested that joint hearings be separate from presentations made by staff of various departments.

Response by Acting Director: He recommended the following department and/or Commissions be grouped together in separate hearings. For example:

- 1) Department of Parking and Traffic and MUNI hearing.
- 2) Redevelopment Agency and Mayors Office of Housing hearing.
- 3) Department of Building Inspection (only) hearing.
- 4) Arts and Environmental Commission joint hearing.

Commissioner Feldstein:

- She expressed her appreciation of the explanation from Acting Director Badiner on the difference between informational hearings and joint hearings.
- She requested that the Action List include the reason why the Commission requested departments and Commissions. That way there is a logical way to proceed.
- There may be other entities that the Commission might want to hear from. For example if there is a MUNI presentation, there might be other minor agencies which might want to attend like the bicycle coalition.

SPEAKER(S): None

ACTION: Other than direction through discussion, there was no formal Commission action.

8. 2003.0611C (K. AMDUR: (415) 558-6351)
1121 POLK STREET - west side between Post and Sutter Streets; Lot 002 in Assessor's Block 0691 - Request for conditional use authorization for the addition of "Other

Entertainment," in the form of a piano player and/or DJ, to the existing bar d.b.a. "Katie's Cocktail Lounge." The bar is open from 10am to 1am seven days a week, and the entertainment would take place between 9pm and midnight. The bar is located on the ground floor of a 3-story building, with 19 dwelling units on the 2nd and 3rd floors. The subject property is located in the Polk Neighborhood Commercial District and a 130-E Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of September 18, 2003)

SPEAKER(S):

(+) Elaine Chu – Project Sponsor

- She tries to do what is best for the neighborhood.
- She will do what the Commission requires her to do.

(+/-) John Malloy – Chairman of Polk Neighbors Incorporated

- They have a number of complaints with the bar.
- There is a lot of noise from the jukebox.
- There should be more sound tests done before the project is approved and not the other way around.
- There is an Indian restaurant that just opened up, but the noise from the bar is so loud that this will cause the restaurant to go out of business.

(+/-) John Kapur

- He has enjoyed being on the premises for many years.
- The wall is not insulated so he can hear the music all the time. He has no objection to the bar but he would like to have conditions imposed to have more sound tests done.

ACTION: Approved with the following condition amendment: Require further sound tests prior to the release of the change of use permit.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: William Lee

MOTION: 16682

9. 2003.0091AC (T. TAM: (415) 558-6325)
333 DOLORES STREET - east side between 16th and 17th Streets; Lot 57 in Assessor's Block 3567 - Request for a Conditional Use authorization pursuant to Planning Code Sections 209 and to allow the expansion of an existing institutional use (Children's Day School), located on a portion of a designated city landmark (Landmark No. 137). The proposal is to construct three (3) 24' x 40' temporary prefabricated classroom trailers. The Certificate of Appropriateness for this project was heard before the Landmark Preservation Advisory Board on September 17, 2003 and approved by the Planning Director on September 29, 2003. The property is located in RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of November 6, 2003)

SPEAKER(S):

(+) Tracy Kirkham

- Chair of the Board of Trustees for the Children's Day School
- The reason for the continuance at the last hearing was because of safety concerns with the use of construction material and construction techniques of pre fab materials.
- Staff alerted them that one of the Commissioners had raised a question about the appropriateness of using modular construction classrooms for preschools
- She did some research and found out that this kind of health question had never come up before.
- The issue of pre fabricated material is not within the Planning Commission's jurisdiction.

(+/-) Keith Bernstein

- He lives on 17th Street.
- The biggest complaint that he has is with increased traffic and increased noise.
- There are a number of houses that surround the yard of the school. It is very noisy and very unsightly.
- There was a petition, which had 80 signatures on it, of people that do not support this project.

(+) Marion Quinones – President of the Parents Association of Day School

- She lives on Dolores Street.
- Her children attend the school.
- She has every confidence that the research of health and safety has been done conscientiously.
- This is a terrific improvement to the neighborhood. It is financially responsible as well as much needed.
- She encouraged the Commission to approve the project.

(+) Isabel Questell – Notre Dame Senior Plaza

- There are about 89 residents living at the plaza.
- They have a lot of concerns about the growth of the school.
- They have had a wonderful working relationship with the school.
- They're concerns have been met and they have been reassured that these problems will be remedied.

(+) Mary Stewart

- She lives at Notre Dame Senior Plaza.
- When she began to see the children playing and being so happy, all the issues and concerns she had just went away.
- Everyone who drives their car to pick up or drop off their children has been very courteous.
- The new construction will not impact the plaza in any way.

(+) Miya Lukashevsky – President Notre Dame Senior Plaza

- She represents the Russian residents of the area.
- They support the school 100%.
- They are happy to see the children walk and play in the garden.

(+) Haden Cory – Student at Children's Day School

- He feels that this school is very unique.
- He attends Children's Day School.
- There are a lot of really neat things that the children do at the school. But most importantly they are learning how to be leaders.

(+) Eugene Price – Notre Dame Senior Plaza

- He lives at Notre Dame Senior Plaza.
- He has had a complete turnaround since this project began. He is totally supportive of the project.

(+) Nicole Wigfall – Student at Children's Day School

- She attends Children's Day School.
- She feels she is at home there because she feels like a big sister to the younger children.

- If the preschool were to leave, there would be no bonding with the older kids.
- This is one of the best places to be.

(+) Pat Bucavich – Holy Family Day Home

- He is here to support this project.
- He works for a day school that provides assistance for children of people of low income or are homeless.
- Holy Family Day School supports this project completely.

(+) Gayle Tsern Strang – Children's Day School

- She is a board member of the school.
- Her children attend the school.
- This request is for the prefabricated building which will contain a small common deck.

- This proposal has a far less environmental impact than what was proposed in the beginning.
- The project will facilitate the execution of the master plan, which will be before the Commission in about five years.

ACTION: Approved -
AYES: Antonini, Boyd, Hughes, S. Lee
NAYES: Bradford Bell and Feldstein
ABSENT: William Lee
MOTION: 16683

10. 2003.0747C (A. LIGHT: (415) 558-6254)
1015 STOCKTON STREET - west side between Clay and Washington Streets, in Assessor's Block 192, Lot 3. Request for a Conditional Use authorization to operate a financial service (bank) in the Chinatown Residential/Neighborhood Commercial (CR/NC) Zoning District. The subject property is zoned CR/NC, and is in a 65-85-N Height and Bulk District. The proposal is to operate a branch location of Cathay Bank in the 2,205 square-foot ground floor retail tenant space in the existing three-story residential hotel building. The vacant retail tenant space was most recently occupied by a Verizon cell phone store. The proposal includes new signage, as well as interior tenant improvements. No expansion of the retail tenant space is proposed.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Dan Sullivan – Representing Project Sponsor

- This is a site that was a bank not that long ago.
- Cathay Bank plans to serve the community that surrounds it.
- There are many banks in San Francisco that are "Chinese banks" that take care of everyone in the community.

ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee
MOTION: 16684

11. 2003.0809C (M. WOODS: (415) 558-6315)
707-719 CLEMENT STREET - south side, between 8th and 9th Avenues; Lots 36 and 38 in Assessor's Block 1440 - Request for Conditional Use authorization under Sections 121.1, 121.2, 303, 716.11, 716.21 and 716.45 of the Planning Code to allow an interior opening connecting two retail stores operated by one ownership (the Richmond New May Wah Supermarket) for a combined gross floor area of approximately 17,300 square feet and a lot size of approximately 10,300 square feet, in the Inner Clement Street Neighborhood Commercial District and an 40-X Height and Bulk District, where use size over 2,500 sq. ft., lot size over 5,000 sq. ft. and on-site liquor sales require Conditional Use.. The proposed project involves interior alteration only. The building envelope would remain the same.

Preliminary Recommendation: Approval with Conditions

NOTE: Re-advertised due to increase in gross square footage of the proposed project from approximately 11,700 square feet to approximately 17,300 square feet.
(Continued from Regular Meeting of October 23, 2003)

SPEAKER(S):

(+) Dan Sullivan – Representing Project Sponsor

- He clarified that the mis-advertisement of the floor area was a misunderstanding and an error on his part.

- The square footage is the same as the amount when Woolworth and Walgreen's occupied the space.
- The interconnections are very minor.
- The integrity of the buildings is not being compromised at all.

ACTION: Approved with an additional finding that the sponsor represented that they would close the existing store by July 1, 2004. Also, add a good neighbor condition that the project sponsor be responsible for periodic steam cleaning the sidewalk.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: William Lee

MOTION: 16685

12. 2003.0280C (R. CRAWFORD: (415) 558-6358)
4071 18TH STREET - south side of 18th Street between Castro and Hartford Streets Assessor's Block 3583 Lot 075 Request under Planning Code Section 161(j) for Conditional Use Authorization for a reduction in off street parking requirements for dwellings from four spaces to 0 spaces for a Project that will demolish an existing two story commercial building and replace it with a four story 6,400 square foot mixed use building with less than 1,999 square feet of commercial space and four residential units above. This project lies within the Castro Street Neighborhood Commercial District and the 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Jennifer Cofield – Shibarro Architects

- She displayed diagrams and photos of the project.
- The project will contain set backs to reduce the massing. Each floor does have access to the back yard with open space, etc.

(-) Florence Garcia

- She lives around the corner from the proposed project and there are already problems with parking. It is always a challenge. This project will create more parking problems in the neighborhood.
- Her other concern is that the project will also change the character of the neighborhood.
- Tearing down a project causes many, many problems.
- She does not see any positive results from this project.

(+/-) Robert Quinn

- In general he supports this project.
- Any time there is an opportunity to create mixed-use is a good one.
- He does not believe that this will be affordable housing for families. Instead, singles will be subletting and each will have their own car and cause more parking problems in the area.
- He does not want a deck built in the back yard because it will come right up to his back yard.

(+) Sam Sung

- He went to the three neighborhood associations and asked what they would need in order to support his project.
- He has taken the recommendations from the three neighborhood groups and this project reflects it.

(+) Imad Bitar

- He has had a store on 18th and Castro for the last 10 years.
- This project will improve the neighborhood.
- Although he agrees that this area has parking problems, so do many other neighborhoods in the City.

Hiley Murr

He supports the project.

- It will increase housing in the Castro.
- It also has the endorsement from the three neighborhood associations so this makes him believe that it is a good project.

Alan Butar

- He owns a store on Castro Street.
- He supports this project.

ACTION: Hearing held. Public Comment Closed. Item continued to January 14, 2004 in order to get better and more detailed plans.
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee
ABSENT: Boyd and William Lee

13. 2002.0658C (M. WOODS: (415) 558-6315)
735 - 7th AVENUE, southwest corner of 7th Avenue and Cabrillo Street, an "L-shaped" lot extending to 8th Avenue, between Cabrillo and Fulton Streets; Lot 36, in Assessor's Block 1650 - Request for conditional use authorization under Sections 121.1, 121.2, 151, 157, 204.5, 303, 711.11 and 711.21 of the Planning Code for lot size, use size and accessory parking for the construction of a new approximately 28,000 square-foot Safeway supermarket with up to 65 off-street surface parking spaces, to replace the existing approximately 16,000 square-foot Safeway supermarket, on an approximately 54,000 square-foot lot in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of September 18, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to December 4, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee

14. 2003.0967T (P. LORD: (415) 558-6311)
BOARD OF SUPERVISORS APPEALS EXTENSION - Consideration of an Ordinance amending San Francisco Planning Code Section 308.1 to extend deadlines by ten days, from 30 days to 40 days, for scheduling and/or deciding appeals under Section 308.1 when the Board of Supervisors does not conduct at least three regular meetings during a deadline period.
 Preliminary Recommendation: Approval

SPEAKER(S): None

ACTION: Approved
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee
ABSENT: Boyd and William Lee
MOTION: 16686

15. 2003.0892C (J. PURVIS: (415) 558-6354)
1350-1352 THOMAS AVENUE - north side between Ingalls and Jennings Streets; Lot 007 in Assessor's Block 4791 - Request for Conditional Use Authorization under Planning Code Section 121(f) to subdivide one lot into two lots of less than the minimum 25-foot width for the construction of two single-family dwellings. The existing lot is 37.5 feet wide, and the two newly created lots would be 18.75 feet wide, with an area of 1,875 square feet. The site is within an RH-1 (Residential, House, Single-Family) Zoning District with a 40-X Height and Bulk designation.
 Preliminary Recommendation: Disapproval

SPEAKER(S):

(+) Bruce Bauman – Representing Project Sponsor

- This project is necessary and desirable because it will provide housing.
- The Planning Department is recommending disapproval because it is precedent setting. He has worked on various projects in the neighborhood that have already set a precedent.
- Housing of this size is appropriate, compatible and desirable.
- If there were vacant lots, he would have to look closely to see if it would provide viable housing.

(+) Mike Murray – Project Sponsor

- He has done a study of the surrounding properties and the majority of the housing consists of two-bedroom units. He has done this study within a 12-block radius.
- He displayed photographs of the various homes that have a large square footage.

(+) Paraic O'Donoghue

- He continued displaying the photographs the previous speaker had started to present.

(+/-) Fredded Person

- He would like to see something that is better than what is there now.
- He supports the project.

(+) Leroy Moore

- He has been living in the neighborhood since 1942.
- This project is a good idea. It would be nice to have a new development in the neighborhood.

(+) Marvin Smith

- He was raised in the neighborhood.
- He too would like to see housing as well as provide employment to the young people in the neighborhood.

(+) Mack Burton

- He owns a small construction company.
- He was raised in the area.
- There are so many substandard houses in the neighborhood.
- It would be an asset for the neighborhood as well.

(+) Sergio Iantorno

- He used to own the house next door to the proposed site.
- The Commission is concerned about the size of the project but in the eyes of a lay person, they cannot distinguish between a 30 or 40 foot wide project.
- The new houses will provide housing for a family, which is very much needed.
- He supports this project.

(+) Berry Casey

- He hopes that the Commission will approve the project.

ACTION: Hearing Held. Public Comment Closed. Item continued to January 15, 2004 so the project can be presented to the Bayview PAC.

AYES: Antonini, Bradford Bell, Hughes, S. Lee

NAYES: Feldstein

ABSENT: Boyd and William Lee

16. 2003.0142C (J. PURVIS: (415) 558-6354)
 3179 23rd STREET - south side between Shotwell Street and South Van Ness Avenue; Lot 036 in Assessor's Block 3641 – Request for Conditional Use Authorization under Planning Code Section 209.3(c), to convert six dwelling units into a 22-bed residential care facility within an RH-3 (Residential, House, Three-Bedroom) Use District and a 50-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Without hearing, item continued to December 18, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee

17. 2003.0141C (G. CABREROS: (415) 558-6169)
3535-3555 BALBOA STREET - southeast corner of Lot 018 in Assessor's Block 1608 - Request for Conditional Use Authorization under Planning Code Section 711.81 to create a large institutional use at the second story. The proposal is to demolish the existing one-story commercial building at the southeast corner of the intersection and to construct a horizontal expansion to the existing church and daycare center located to the east and known as Full Life Christian Center. The proposed two-story, 40-foot tall addition would contain two retail spaces (approximately 1,275 square feet each) and a five-car garage at the ground floor and a multi-purpose room at the second story with a rear yard deck over the ground-floor garage. The subject property is within an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Rev. John Au-Yeung – Full Life Christian Center

- His church has been in the neighborhood for the last 20 years.
- They serve various age groups of the community.
- They want to promote the community and offer a variety of programs.
- They also would like to have two retail units in order to keep up the business aspects of the neighborhood.
- Their church has been very crowded.
- He urged the Commission to approve the project.

(+/-) Stanley Siu

- He owns property right next to the subject property.
- He has kitchen and bathroom windows that are about 15 feet high. He is worried that if the building is 40 feet high, he will lose privacy. If the building is too close to his house, he will lose sunlight.
- He does not oppose the expansion, but would like to have his issues resolved.

(+) Sandra Payne – Full Life Christian Center

- They have various community outreach programs.
- Because of the rain, the children were not able to go trick-or-treating. With the proposed construction, they would be able to increase their indoor activities.
- There are a lot of after school programs.
- In lieu of having everyone here speak, she asked that supporting members stand up (about 30 people stood up).

ACTION: Approved with Conditions as Modified: 1) modify rear setback; 2) hours of demolition construction on Saturday shall be 8:00 a.m. to 6:00 p.m. and no demolition construction work on Sunday.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee

ABSENT: Boyd and William Lee

MOTION: 16687

18. 2002.1086C (M. SNYDER: (415) 575-6891)
501 2ND STREET - southeast corner of 2nd Street and Bryant Street, Lot 67 in Block 3774 – Request for Conditional Use authorization under Planning Code Section 304 to amend a previous Planned Unit Development authorization (Case No. 1982.591C) to reduce the parking requirement (and legalize the existing parking condition) from 169 spaces to 141 spaces. The property is within an SSO (Service / Secondary Office) District and a 50-X Height and Bulk District. The original approval for 501 2nd was for a 188,000 square feet of office use and 169 valet parking spaces. The parking requirement of 169 spaces was to serve both the office use at 501 2nd Street and the 49 Live/work units at 355 Bryant Street, immediately to the east.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Dan Kinsgley – SKS Investments**

- They purchased this building knowing that the previous owner was not in compliance with parking. A mechanical parking lift was a choice.

- It was their opinion that sharing the garage because of the different hours of operation would be just fine.

- This is not going to create any unmet demands in the neighborhood.

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee

ABSENT: Boyd and William Lee

MOTION: 16688

- 19a. 2002.0628E!KXCV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Adopting findings under the California Environmental Quality Act, as described in a Final Mitigated Negative Declaration dated September 22, 2003, in connection with a proposal to construct a new building approximately 23 stories and 235 feet in height, with a gross area approximately 497,000 square feet, containing approximately 246 dwelling units and 5400 square feet of ground floor retail, and a parking garage. The site is in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts. The project is the subject of a concurrent entitlement hearings.
Preliminary Recommendation: Adopt CEQA Findings
(Continued from Regular Meeting of October 23, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to December 4, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: William Lee

- 19b. 2002.0628E!KXCV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Review under Planning Code Section 309 and for exceptions, to construct a new building approximately 23 stories and 235 feet in height, with a gross area approximately 497,000 square feet, containing approximately 246 dwelling units and 5400 square feet of ground floor retail, and a parking garage, to replace an existing surface-level parking lot containing 168 spaces. The requested exceptions are for bulk requirements of Section 270 and for exceedences of the pedestrian comfort wind speed criteria of Section 148. The site is in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts. The project is the subject of a concurrent hearing for a Conditional Use authorization.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of October 23, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to December 4, 2003

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

ABSENT: William Lee

- 19c. 2002.0628E!KXCQV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Request for authorization of Conditional Use for a public storage garage for passenger vehicles (Planning Code Section 223(m)), and for parking in excess of accessory amounts (Planning Code Section 204.5) in conjunction with construction of a new, 23-story residential building, replacing a surface-level parking lot containing 168 spaces with a residential apartment building 23 stories in height and approximately 497,000 gross square feet in size. The site is in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts.
Preliminary recommendation: Approval with Conditions, including limiting residential parking at 1:2.
(Continued from Regular Meeting of October 23, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to December 4, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee

- 19d. 2002.0628E!KXCQV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 in a C-3-G (Downtown General Commercial) District, and in 150-S and 240-S Height and Bulk Districts. Dwelling Unit Exposure Variance Sought: The proposal is to construct a new 246-unit, 23-story residential building with a 504-space parking garage. Up to 180 of these dwelling units are to be side facing (without direct frontage on a street, a complying rear-yard area, or other open area with sufficient minimum dimensions to comply with Planning Code Section 140).
(Continued from Regular Meeting of October 23, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to December 4, 2003
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: William Lee

6:00 p.m.

20. (L. BADINER: (415) 558-6411)
EASTERN NEIGHBORHOODS COMMUNITY PLANNING – The Planning Commission will discuss and possibly adopt Interim Policies and/or discuss and direct staff to prepare a resolution for initiation of Interim Controls. Planning Department staff will provide a status report on the Environmental Review process for the Rezoning of the Eastern Neighborhoods. The Planning Commission will also schedule a subsequent hearing to review and discuss the work scope of Public Benefit Zoning and Community Impact Report (Socio-Economic Analysis) and to discuss non-conforming uses.
Preliminary Recommendation: Adopt Interim Policies

SPEAKER(S):
Michael Yarne – Farella Braun & Martel
- They are involved in the community workshops of Showplace Square.
- They have been exploring the probability of an 800 unit mixed use project.
- He hopes that the EIR can be repaired in the next two years.
- He spoke in favor of interim policies.
- Residential and PDR uses can coexist in the design/showplace square area.

- If the 1 to 4 ratios are enacted, this would impact various projects of his.
- He warns the Commission to look closely at these policies.

Barry Campbell – Bay West Group

- Bay West Group operates the San Francisco Design Center.
- They have participated in every step of the community planning process.
- They are still waiting for an outcome after two years.
- Adding a significant amount of mixed-use housing makes good sense.
- Adopting the interim policies would encourage projects that would make the area safe and a 24/7 district.
- The ratio was never discussed before.
- They fully support the adoption of the policy after modifying the ratio.

Eric Quezada – Mission Anti-Displacement Coalition

- Interim controls have brought them together to discuss important issues.
- They believe that interim controls will allow them not to have to discuss every single project as opposed to policies.
- If there are no interim controls in the next 18 months and the economy gets better, this will get out of control.
- Although they want to look at the goals of the interim controls, the goals of the planning process should be considered as well.

Luis Granados – Mission Anti-Displacement Coalition

- He thanked the Commission for following up on the recommendations made to staff at the previous meeting.
- He is in support of interim controls and not policies.
- PDR businesses will create about 45,000 jobs.
- There is a definite economic business to protecting the businesses.
- He differs from staff on the threshold stated.
- He urged the Commission to direct staff to adopt interim controls.

Charlie Sciammas - MAC

- They are happy that the department is moving forward on the environmental impact analysis.
- The spirit of the rezoning process has been more clearly defined in controls.
- Interim controls are very much needed since currently they have been looking over projects on a case-by-case basis.

My Do – Mission Economic Development Association

- The adoption of interim controls will allow PDR businesses to remain.
- These businesses provide economic viability to the City.
- PDR businesses provide 50.5 million dollars in tax revenue.

Cris Selig (speaking on behalf of Oscar Grande)

- She is in support of interim controls not policies.
- Work upfront will save many hours of work and will cut down long hearings.
- She urged the Commission to move and make a decision tonight. The content can be thought out and explained in the coming months.

Ada Chan – Mission Anti-Displacement Coalition

- The Eastern Neighborhoods planning process began because of development that occurred, speculation, and the many battles that took place here both in front of this commission and the previous commission.
- The City and the department has spent over \$700,000 of planning staff time to develop the plans today. MAC does not want to be seen as holding developers "hostage."
- They want the small and large developers to have clear guidelines so that no one has to come here again and begin another battle.
- She encouraged the Commission to start the interim controls, defining the legislation in order to schedule a date for that presentation.

Cris Durazo – South of Market Community Action Network

- She encouraged staff to direct staff to pass the resolution.
- She is concerned that she has not heard of a community planning process for West SOMA.

- South of Market faces the most devastation with development if these controls are not imposed and implemented.

Curtis Eisenberger – Mission Coalition for Economic Justice and Jobs

- He thanked staff for their outreach with the Mission Coalition.
- They recently saw the documents so they have not had time to assimilate them.
- He urged the Commission to use caution with the maps of the NEMIZ. The definition of PDR still needs to be worked on, etc.
- If there is a choice with interim controls to interim policies, they would choose policies.
- The NEMIZ should be looked at in a separate way.

Dick Millet – Potrero Boosters

- The document, which is available to the public, has a lot of inconsistencies and errors.
- He does not want any action today because he has not had time to analyze the document.

Dan Kingsley – SKS Investments

- They are owners of various SOMA buildings.
- He received a copy of this document from a neighbor just yesterday.
- It is important to set a standard in sending out these documents, maybe via email.
- There are a lot of concerns with property and business owners about the impacts of non-conforming uses.
- He urged the Commission to accelerate this process.

Fred Snyder

- He is a property owner in the NEMIZ.
- He thanked Larry Badiner for meeting with them and jump-starting their process.
- He feels that there is a need to continue this issue in order to understand what is going on.
- The Mission should be separated in order to talk about it and understand it better.
- Interim controls have already been in his neighborhood for two years. He believes that this is all they can have.
- It is important to protect the businesses and the jobs.

Judy West

- She lives and works in the NEMIZ.
- She realizes that the current Commission was not present when all the dialog and informality was going on so a lot of the essence was lost.
- The Commission needs to think of what would be the impact of buildings in liquefaction zones.

Robert Meyers

- He supports interim policies and not the controls.
- Interim controls would especially harm East SOMA because the area already has the most restrictive zoning in the City.
- Further restrictions would prevent anything at all from being built.
- He wants to focus on staff's proposal for the one new square foot of PDR requirement for each floor square feet of new housing. This sounds worthy but he believes that it is flawed and would discourage new housing.
- What is the incentive of building larger units if at the same time more PDR space needs to be built that would require a subsidy by the builder.

Julie Milburn – Facilities Director of the California School of Arts and Crafts

- They have a 24 hours school in a very desolate area.
- There are sad, tragic people moving in after dark.
- She is delighted that this process is moving forward.
- They cannot manage with anything more restricting than what they have now.
- 1:4 for PDR is simply way to high.

Tay Via – Coblenz, Patch, Duffy & Bass

- The one specific point that was confusing to them was that people that were involved in the Western SOMA process were very surprised to see this in the interim controls.
- The Western SOMA has been a very active group.
- She suggests that the Commission delete Western SOMA from this process.

Steve Vettel – Dolbe Laboratories

- On page 8 and 9 of the PDR information handout from staff, it states that PDR doesn't exist. All of a sudden Dolbe Labs would be classified as medium PDR and according to the handout it would become core PDR.
- In overlay districts, core PDR is not permitted.
- He is in favor of interim policies and not interim controls.

Jeffrey Leibovitz

- He lives in Eastern SOMA. He supports the policies of Eastern SOMA.
- He wants to continue the policy of DR in the Eastern SOMA.
- He does not want to see this process get further politicized. Everyone has been frustrated with this process.
- Once this document goes before the BOS, there is a possibility that it will be revised.
- The majority of the people of this City have complete confidence in the Commission to take the discretion to decide on policies.

Michael Burke – Elman, Burke, Koffman and Johnson

- His comments are strictly regarding the NEMIZ.
- He read a letter from Lion Enterprises who is the owner of a building at 2525 16th Street. He requests that you retain the M-1 use in that area.

In the NEMIZ, the residents have been subject to interim controls.

Richie Hart

- He wants to echo the sentiments of the speakers this evening.
- He wants another opportunity to continue public comment.
- If the new guidelines go from 1 to 200, which is higher density, he believes that it is better to stay with the current zoning.
- 4 to 1 PDR would not allow any banks to support builders.
- Housing is harder than it was a few years ago.
- Interim controls are a disaster.

ACTION: Public Hearing Closed for Today. No Action Taken. Item Rescheduled for November 20, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes

ABSENT: Sue Lee and William Lee

E. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 8:25 p.m. – In memory of Nicholas Summerfield.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, DECEMBER 18, 2003.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

EXCUSED: W. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, November 20, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

JAN 29 2004

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:40 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Diane Lim, Costolino Hogan, Geoffrey Nelson, Tom Wang, Paul Lord, Dario Jones, Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. (J.IONIN: (415) 558-6309)
DISCRETIONARY REVIEW POLICY - Consideration of a Policy to create a pre-application process for all new construction and certain expansion applications in RH and RM Districts and to establish criteria for administrative discretionary review.
(Proposed for Continuance to December 18, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to December 18, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2003.0966T (P. LORD: (415) 558-6311)
FORMULA RETAIL USES - Consideration of an Ordinance to amend the Planning Code by adding Section 703.3 and by amending Section 182 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District and in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for formula retail use to comply with the

notice and design review procedures of Section 312 of the Planning Code, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential District which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3 , making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Proposed for Continuance to December 18, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to December 18, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2003.0860D (E. TOPE: (415) 558-6316)
357 HOWTH STREET - east of Howth Street between Mount Vernon Avenue and Ridge Lane; Lot 013 in Assessor's Block 7035 - Request for Discretionary Review of Building Permit Application No. 2003.04.21.2744, proposing a one-story (over storage) rear horizontal extension and stairs leading from the new addition to the rear yard, to an existing single family dwelling within an RH-1 (House, One-Family) District and in a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 4a. 2002.0580D (M. SMITH: (415) 558-6322)
90 MARS STREET (A.K.A. 26 DEMING STREET) - west side of the street between Corbett and 17th Streets, Lot 016 in Assessor's Block 2654 -Request for Discretionary Review of Building Permit Application No. 2002.05.31.7958, proposing to construct a three-story single-family dwelling at the rear of an existing vacant lot, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to January 22, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 22, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 4b. 2003.1170D (M. SMITH: (415) 558-6322)
96 MARS STREET (A.K.A. 300 CORBETT AVENUE)- northwest corner of Corbett Avenue and Mars Street, Lot 017 in Assessor's Block 2654 -Request for Discretionary Review of Building Permit Application No. 2003.03.21.0319, proposing to construct a four-story over garage single-family dwelling that is one in a pair of side-by-side buildings on the same lot, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to January 22, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 22, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 4c. 2003.1187D (M. SMITH: (415) 558-6322)
300 CORBETT AVENUE - northwest corner of Corbett Avenue and Mars Street, Lot 017 in Assessor's Block 2654 - Request for Discretionary Review of Building Permit Application No. 2003.03.10.9221, proposing to construct a three-story over garage single-family dwelling that is one in a pair of side-by-side buildings on the same lot, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to January 22, 2004)
- SPEAKER(S): None
ACTION: Without hearing, item continued to January 22, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
- 4d. 2003.1104D (M. SMITH: (415) 558-6322)
300 CORBETT AVENUE - northwest corner of Corbett Avenue and Mars Street, Lot 017 in Assessor's Block 2654 - Mandatory Discretionary Review, under Planning Commission's policy requiring review of housing demolition, of Demolition Application No. 2003.03.10.9220, proposing to demolish an existing two-story single-family dwelling (the project also proposes the construction of two side-by-side single-family dwellings on the same lot), located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to January 22, 2004)
- SPEAKER(S): None
ACTION: Without hearing, item continued to January 22, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
- 4e. 2003.1186D (M. SMITH: (415) 558-6322)
306-308 CORBETT AVENUE (A.K.A. 300 CORBETT AVENUE) - northwest corner of Corbett Avenue and Mars Street, Lot 001 in Assessor's Block 2660 - Request for Discretionary Review of Building Permit Application No. 2002.05.17.6897, proposing to construct a four-story over garage two-family dwelling, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to January 22, 2004)
- SPEAKER(S): None
ACTION: Without hearing, item continued to January 22, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
5. 2002.0443D (G. NELSON (415) 558-6257)
426 31st AVENUE - east side between Clement Street and Geary Boulevard, Lot 039 in Assessor's Block 1462 - Request for Discretionary Review of Building Permit Application No. 2002.12.18.3817, proposing to substantially alter an existing two-story single-family house by extending the building to the rear, adding a full third and partial fourth floor, and adding one additional dwelling unit in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The altered building will contain two dwelling units and two off-street parking spaces.
Preliminary Recommendation: Do not take Discretionary Review and approve project as submitted.
Request for Discretionary Review has been withdrawn.
- ACTION: None. The Discretionary Review request was withdrawn.

6. 2003.0912D (M. SMITH: (415) 558-6322)
1770 33RD AVENUE- east side of the street between Moraga and Noriega Streets, Lot 024 in Assessor's Block 2017 - Request for Discretionary Review of Building Permit Application No. 2002.10.10.8736, proposing to construct a two-story rear horizontal addition on a single-family dwelling located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications.
Request for Discretionary Review has been withdrawn.

ACTION: None. The Discretionary Review request was withdrawn.

B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Commission Comments/Questions

Commission Secretary:

- She stated that her closed-session review is scheduled for December 11, 2003, at noon in room 400.

Commissioner Antonini:

- He attended a meeting at St. Brendan's Parish Hall in District 7 under the hospice of Supervisor Hall. The meeting included neighborhood representatives and activists, etc.
- The main topic of discussion was the Housing Element.
- The people in attendance wanted him to convey to the Commission that they want to reopen the public hearing on the amendment process of the Housing Element during the environmental review process. There are still people who are not in support of various parts of the document. There is a fear that if the environmental review is completed and approved, that not enough Commissioner's comments will be incorporated.
- Would it be appropriate to calendar a session in which the Commission would take up the amendment of the Housing Element?
- Even though people can still send written comments, the public would still like to state their comments to the Commission.

Commissioner Bill Lee:

- He received a commuter profile regarding a Survey of San Francisco Bay Area Commute Patterns in the Bay Area from Alameda, Contra Costa, Marin, Napa, San Mateo, Solano and Sonoma. He will be providing a copy of this to the Commission.
- This is important because it provides updated information regarding transit, the use of public transit, etc.
- This type of information should be included in the Housing Element.

- He agrees with Commissioner Antonini about not closing public comment on the Housing Element. It would be helpful to have at least one more hearing before having the EIR hearing.

Commissioner Boyd:

- He does not agree with Commissioner Antonini about not closing public comment on the Housing Element.
- He is glad the Commissioner went to the neighborhood meeting and received input from the public.
- He feels that the process during the Housing Element was done properly and that there was enough information submitted.

Commissioner Hughes:

- He requested a discussion on Article 10 of the Planning Code which establishes the Landmark Advisory Board.
- He would like to have this scheduled some time in February, 2004.
- The reason for this is because San Francisco, unlike other California localities, has not kept pace with the developments as they relate to preservation under CEQA guidelines.

-When is the environmental review going to start regarding the Housing Element?

Acting Director Responded:

- He feels that within a couple of weeks, staff will determine whether it will be an EIR or a Negative Declaration and what the environmental process will be.

Commissioner Hughes:

- He would suggest that the Commission wait to hear from staff on what will be the environmental process regarding the Housing Element before scheduling another public hearing.

Commissioner Feldstein:

- She feels that there has been enough information submitted on the Housing Element. There is still opportunity for the public to submit their comments in writing. She is not in favor of holding another public hearing until the Commission has an environmental document before them.

Commissioner Sue Lee:

- In preparation for the closed session evaluation of Secretary Avery, she would like to receive a current job description as well as comparable job descriptions within the City and County of San Francisco.
- She would also prefer to wait to have an environmental document before reopening public hearing on the Housing Element.

Commissioner Bradford Bell:

- She feels that the Commission needs to move forward on the Housing Element and is not in favor of holding another public hearing.

C. DIRECTOR'S REPORT

8. Director's Announcements

Director Green:

- He is glad to be back for this hearing.

Acting Director Badiner:

- The Commission requested a quarterly report in regards to finance. This information is in the Commissioner's packets.
- In terms of expenses, the department is right on target.
- In terms of revenue, the department is "sort of" on target.
- The fee increase that the Commission approved has not gone into effect yet. This results in about a \$1.6 million shortfall.
- Although the department is doing better than what was projected, the department is working with the Mayor's office on the \$1.6 million shortfall.
- Staff is also working on obtaining State grants.
- There are no other unforeseen shortfalls.
- He does not expect any layoffs or immediate staff impacts.

Director Green:

- It is important to clarify that the fee increase did not contribute to the shortfall.
- \$1.6 million dollars is a forecast only.

Acting Director Badiner:

RE: Draft Rincon Hill plan from staff.

- There has been a lot of outreach to the community.
- There will be a presentation on this subject on December 4, 2003.
- The process will be to receive input from the Commission, develop the input, respond to concerns and questions and modify the project.
- There are a series of "kick off" events like: 1) neighborhood meeting in the Sailor's Meeting Hall; 2) Walk through tour scheduled for a Saturday, etc.
- He is not sure of the dates at this time.

Re: Landmarks Advisory Board

- The Landmarks Advisor Board is preparing a document that will discuss how to respond to preservation as we move into the future. This will be scheduled in late February.
- There is also the issue of the changes in the CEQA laws and the process as staff reviews projects that are either designated under the historic register, could be registered and are likely to be, might be and are unlikely to be. This is an internal staff process.
- He feels that it is important that the Commission scheduled an informational hearing. He is proposing to scheduled this in January. It is important because it will impact how the department and the Commission works on environmental issues.
- He is not sure if these two topics will come before the Commission together or separate. He feels they should be separate.

Commissioner Feldstein:

- She thought that there was a budget that included certain assumptions such as fee increases. She understands that these increases have not been implemented. She is having trouble understanding how this is classified as "there are no surprises." She feels that there is a problem. Why was the grant money put in the budget if staff is not surprised we didn't get it.

Acting Director Badiner:

- He feels that the amount from the grants budgeted is not something to worry about at this time in the budget process. This does not overly concern him. The Mayor's Office is aware of this and has not raised the "red flag" on the department yet.
- He is concerned about the \$1.6 million dollars. He is pursuing finding a solution and is speaking with the Mayor's Office. There is no need to panic or to start laying people off.

Director Green:

- If staff anticipated a change in the State's budget why was this money included in the department's budget? If one looks at the work program for the department, State grants have been the same each year. There is work that was "carried over" from the previous year so there was an assumption that the grants would be allowed. Staff has never gone out to attract new grants with the hope of creating new work. This is work that staff has been doing for a number of years.

Commissioner Feldstein:

- She wants to know if the department has an alternative budget? Is the department being proactive or reactive?

Acting Director Badiner:

- He feels that the department is being proactive. By working with the Mayor's Office and looking at issues that the department can resolve. Because of his confident in these discussions, cutting and slashing things is not appropriate at this time.

Commissioner Feldstein:

- It would be helpful to tie this information together.

Commissioner Sue Lee:

- She feels that the department needs to be opportunistic as well.
- It looks like the department is under spending and behind on the revenues that have come in. This raises a bigger "red flag."
- If there were more sophisticated financials, it would be easier to determine.

Acting Director Badiner:

- He feels that the department needs to continue being proactive and pursue what the department is working on with the City Attorney regarding fee recovery with program EIRs, enforcement citations, etc.

Commissioner Bill Lee:

- The budget concerns him because most of the expenses are actually personnel.
- SB 90 is not a refundable expense from State's requirements.
- His biggest concern is the fee structure. His understanding is that the Controller's Office and the Budget Analyst feel that the fees the department is charging are not related to the services they will be providing. This is a critical issue because without the support of the Controller or the Budget Analyst, it does not matter what the Mayor's Office asks us to do.
- He recommends splitting fees: look at Discretionary Reviews since they are not covered by resources; look at staff's time in front of the Board of Supervisors. Reviewing all the projects should be a separate line item.
- He is not comfortable with the City's budget this year or next year.

Commissioner Feldstein:

- The materials for Rincon Hill for the December 4 hearing should include the presentation made to the Board of Supervisors.
- Since the Commission has concerns about the budget, she would like to have this scheduled so that the Commission can discuss it.

Director Green:

- At the next hearing of the Planning Commission the issue of scheduling the quarterly budget information discussion shall be scheduled.

9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOA –

Re: 201 Folsom Street/300 Spear Street and Planning Code Recommendation, Height Map Amendments and General Plan Amendments.

- The EIRs were appealed and heard at the full Board.
- It was a three hour hearing.
- The board upheld the EIRs on a vote of +8-2. There was a lot of discussion regarding the project, the Rincon Hill process, etc.
- The Board felt that the documents were adequate, complete and accurate.
- The Planning Code Amendments and the General Plan Amendments will be heard at the Land Use Committee in early December.

BOA – None

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

There are no closed items on this calendar.

E. REGULAR CALENDAR

10.

(L. BADINER/D. LIM: (415) 558-6411/558-6547)

PLANNING DEPARTMENT MANAGEMENT AUDIT - Review of management audit and recommendation by Planning Commission for follow-up.

SPEAKER(S):**Jim Reuben**

- He is a heavy consumer of Planning Department services.
- He read the budget and he feels that there are basic misunderstandings of the planning process that needs to be corrected.
- He is glad that the department is looking at the Discretionary Review process.
- He looks forward to looking at the response.

ACTION: Hearing held, item continued to January 15, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

11a.

2002.1258DD

(G. NELSON (415) 558-6257)

1708 ANZA STREET - north side between 8th and 9th Avenues, Lot 015 in Assessor's Block 1536 - Request for Discretionary Review and Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Building Permit Application No. 2002.05.01.4436 proposing to demolish a two-story two-family dwelling in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There are related proposals to demolish a single-family dwelling also on the subject lot, and to construct a four-story, three-family dwelling with three off-street parking spaces.

Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S):**(-) Jason Hoffman – Discretionary Review Requestor**

- He and his father are concerned with a lightwell that provides necessary light and air to the residential and commercial units.
- He displayed shadow analysis photographs to prove how much impact the new construction will cause.
- There is also an issue of a fire escape stairwell that will be impacted.
- The project will also be inconsistent with the other properties in the neighborhood.
- He has worked hard to provide an affordable apartment complex for the residents.
- If the project were to be approved, he would like to have some modifications: remove the stairwell penthouse, paint the building in a light reflective color and install a half garage that is below grade.

(-) Michael Morris

- He lives on Anza Street.
- This project would affect the light coming into his kitchen.

- The air coming through his windows would also be compromised.

(-) Pat Burns

- She is the rental agent for the building next to the proposed project.
- If this project is approved, it would be very devastating to two particular units.
- She has no problem with the building being built, just do it with a few modifications.

(+) David Silverman – Reuben and Alter – Representing Project Sponsor

- The DR requestor is a landlord of a non-conforming building, which contains 6 apartment units and commercial units.
- The DR requestor will still enjoy light and air to the west and the east.
- The project will increase the light and air because it will have a rear yard.
- There are no exceptional or extraordinary circumstances to this case.

(+) Pat Buscovitch – Project Engineer

- He tried to address his soundness report to respond to the demolition guidelines recently presented to the Commission.
- There are major fundamental problems with the [existing] building.
- The ceiling heights are off.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 11b. 2002.1259DD (G. NELSON (415) 558-6257)
1708 ANZA STREET - north side between 8th and 9th Avenues, Lot 015 in Assessor's Block 1536 - Request for Discretionary Review and Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Building Permit Application No. 2002.05.01.5440 proposing to demolish a one-story single-family dwelling in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There are related proposals to demolish a two-family dwelling also on the subject lot, and to construct a four-story, three-family dwelling with three off-street parking spaces.

Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S): Same as those listed for item 11a.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 11c. 2002.0345D (G. NELSON (415) 558-6257)
1708 ANZA STREET - north side between 8th and 9th Avenues, Lot 015 in Assessor's Block 1536 - Request for Discretionary Review of Building Permit Application No. 2002.05.01.5442 proposing to construct a four-story, three-family dwelling with three off-street parking spaces in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. There are related proposals to demolish a single-family dwelling and a two-family dwelling on the subject lot.

Preliminary Recommendation: Do not take Discretionary Review and approve proposal as submitted.

(Continued from Regular Meeting of July 10, 2003)

SPEAKER(S): Same as those listed for item 11a.

ACTION: Took Discretionary Review and approved the project with the following amendments:

- The ground floor rooms currently shown as containing residential occupancy are to be for storage or other non-occupied use ONLY. No portion of the ground floor shall contain toilet, lavatory, or bathing

facilities unless specifically allowed within a 'secondary' or 'accessory' unit as described below.

- A Notice of Special Restrictions (NSR) shall be recorded against the deed of the property with the Recorder's office stating the nature of this approval and the specifics of the approved structure. This NSR shall include language that would allow the conversion of a portion of the ground floor (exclusive of space needed for required off-street parking and maneuvering) to residential occupancy as a single unit (not attached to another unit in the building), should 'secondary' or 'accessory' units, at a density exceeding three units on the lot, become allowed under the Planning Code, or at such time as other Planning Code or Zoning changes allow a unit density greater than three units on the lot.
- All exposed building elevations, even those facing into lightwells on neighboring properties, are to be clad in finished materials and painted in a light-reflective shade to maximize indirect light to adjacent lightwells and windows.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

12. 2003.0827D (G. NELSON: (415) 558-6257)
9 SCOTT STREET - west side between Duboce Avenue and Waller Street, Lot 014 in Assessor's Block 1260 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2003.03.27.0834, proposing to merge a studio apartment and a two-bedroom unit within a two-unit building in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. The proposal is to convert the studio into two bedrooms to become part of the remaining dwelling unit. The converted structure will contain one dwelling unit and one off-street parking space.
 Preliminary Recommendation: Do not take Discretionary Review and approve merger as submitted.

SPEAKER(S):

(+) **Johan Racey**

- He and his wife purchased the house before they had children.
- The space is getting very limited.
- The empty area has been vacant for about two years.
- The project will create two additional units. One of the bedrooms will be converted into a home office for his wife to work from and spend more time at home.
- The house will be brought back to its original structure.

(+) **Cevan Whitney – Project Architect**

- The second unit was an illegal unit. From a Variance it was converted into a legal unit.
- The unit was never really integrated into the rest of the home.
- Returning this project to its original plan would restore its historical integrity.

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, W. Lee

ABSENT: S. Lee

- 13a. 2003.0900D (G. NELSON: (415) 558-6257)
42 BEAUMONT AVENUE - east side between Geary Boulevard and Anza Street, Lot 22 in Assessor's Block 1086 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of housing demolition, of Building Permit Application No. 2002.11.01.0541, proposing to demolish a two-story building containing

one dwelling unit. The subject property is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve demolition as submitted.

SPEAKER(S): None

ACTION: Without hearing, item continued to January 22, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 13b. 2003.0866V (G. NELSON: (415) 558-6257)
42 BEAUMONT AVENUE - east side between Geary Boulevard and Anza Street, Lot 22 in Assessor's Block 1086 - Request for Variance to Rear Yard requirements to allow construction of a new four-story building, a portion of which would be located in the required rear yard. The first, second and third floors of the four-story building would extend 5 feet 9 inches into the required rear yard, and exterior stairs to the third floor level would extend an additional 6 feet 8 inches into the required rear yard. The building would contain two dwelling units. The subject property is in an RH-2 (Residential, House, Two Family) District and a 40-X Height and Bulk District.
- SPEAKER(S): None
- ACTION: Without hearing, item continued to January 22, 2004.
- AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

Item 14 below contains an additional DR that was noticed on an Addendum (14b). These minutes show all three components of the case—two DRs and one Variance, where the original calendar only showed one DR and a Variance.

- 14a. 2003.0904D (J. MILLER: (415) 558-6344)
937 - 939 JACKSON STREET - south side between Powell and Mason; Lot 028 in Assessor's Block 0191 - Mandatory Discretionary Review of Building Permit Application No. 2003.07.24.0318 proposing the demolition of a two-family dwelling and its replacement with a new building containing nine dwelling units. The subject property is located in an RM-3 (Mixed Residential, Medium Density) District and a 65-A Height and Bulk District.
- Preliminary Recommendation: Do Not Take Discretionary Review and approve the Demolition Permit.
- (Continued from Regular Meeting of November 6, 2003)
- SPEAKER(S): None
- ACTION: Without hearing, item continued to December 18, 2003.
- AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
- 14b. 2003.0535EDV (J. MILLER: (415) 558-6344)
937 - 939 JACKSON STREET - south side between Powell and Mason Streets, Lot 028 in Assessor's Block 0191, in an RM-3 (Mixed Residential, Medium Density) District and a 65-A Height and Bulk District - Request for Discretionary Review of Permit Application 2003.05.20.5122 to construct a new four-story, nine-unit residential building approximately 40 feet in height.
- Preliminary recommendation: Take Discretionary Review and approve the permit with conditions.
- SPEAKER(S): None
- ACTION: Without hearing, item continued to December 18, 2003.
- AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 14c. 2003.0535DV (J. MILLER: (415) 558-6344)
937 - 939 JACKSON STREET - south side between Powell and Mason Streets, Lot 028 in Assessor's Block 0191, in an RM-3 (Mixed Residential, Medium Density) District and a 65-A Height and Bulk District. Rear yard variance requested for a proposal to construct a new four-story residential building containing nine dwelling units with a ground-floor garage containing nine off-street parking spaces, after demolition of the existing two-family dwelling. A portion of the garage level (only) is proposed to project approximately 19 feet five inches into the otherwise-required rear-yard area, leaving an area open and clear (from the ground up) of 15 feet behind it. This proposed space would be devoted to three additional bedrooms and bathrooms, as parts of two units above providing a four-bedroom unit and a three-bedroom unit. The upper surface of this rear projection would be developed as a usable open space. The application requesting a Variance will be heard by the Acting Zoning Administrator.
(Continued from Regular Meeting of November 6, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to December 18, 2003.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 15a. 2003.0399D (T. WANG: (415) 558-6335)
474 MAGELLAN AVENUE - north side between Cortez and Montalvo Avenues; Lot 014 in Assessor's Block 2926 - Request of Discretionary Review of Building Permit Application No. 2002.12.30.4339, proposing to construct a three-story rear and side addition and a new rear exterior stairway connecting all levels of the existing single-family to the rear yard. The proposed rear exterior stairway requires a rear yard variance (Case No. 2002.1307V). The Zoning Administrator held and closed a public hearing on the variance on March 26, 2003, a decision was not made. The subject property is in an RH-1 (D) (Residential, House, One-Family, Detached Dwelling) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

(-) **Bruce Bonacker – Project Architect**

- He submitted documentation that included the Assessor's block and pinpointed the project sponsor and Discretionary Review requestor's homes.
- The proposed building will be very large as compared to the other homes in the neighborhood.
- There have been two alternatives offered: the first was proposed and was rejected by the project sponsor. The second alternative would be the issues resolved by both parties. Those issues consist of eliminating an interior corridor and moving the side addition to the south.

(-) **Ed Koblowitz**

- If the project sponsor had done what they said they were going to do -- be willing to speak to the neighbors, etc. -- then he would not be here.
- This is a project that can be done. But it is important to respect the rights of the neighbors.
- He has 15 letters objecting this project.

(-) **Diane Sampson**

- She lives on Magellan Street.
- She is very sad to be here because she does not want to have an adversarial relationship with the project sponsor.
- She works at home so the impact from the construction will be tremendous.
- The light, air, and pleasantness of her home will be gone if this project is approved as proposed.
- She feels that a compromise will be possible if everyone works together.

(-) Grace Shanahan

- She lives in the neighborhood.
- A compromise is very important here.

(-) Harold Wright

- There is some room for reduction in this expansion.
- He visited the neighbors to see the negative impact.
- The proposed project would cast a shadow on the adjacent home.

(+) Jim Reuben – Reuben and Alter – Representing the Project Sponsor

- He did not receive a copy of whatever materials were handed to the Commission and he has been at the hearing today for a few hours.
- The threshold is extraordinary and exceptional circumstances. This case is about a single site line from one northwest window of the DR requestor's house. The complaint from the DR requestor is very minimal.
- He displayed a lot map displaying how many households support the project sponsor.
- The claim that this house is huge is outrageous because the lot coverage is smaller than the ones on the same block.
- The staff has done site visits and has noted that there have been a lot of improvements done by the project sponsor to be good neighbors like, building a lot line fence, relocating a third floor window, use of dual glaze exterior windows and a shadow study.
- The architect is here to answer any questions.

ACTION: Did not take Discretionary Review and approved the project as proposed
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 15b. 2002.1307V (T. WANG: (415) 558-6335)
474 MAGELLAN AVENUE - north side between Cortez and Montalvo Avenues; Lot 014 in Assessor's Block 2926 - Rear yard Variance Sought - Section 136(c)(14) of the Planning Code permits uncovered stairways and landings not extending higher than the floor level of the adjacent first floor of occupancy above the ground story, and, in the case of yards and usable open space, extending no more than six feet into the open area for any portion that is more than three feet above the grade. The proposed rear exterior stairway described under 2003.0399D would be one floor level higher than the first floor of occupancy above the ground story and would extend nine feet into the 25-foot required rear yard for the portion that is more than three feet above grade. The subject property is in an RH-1 (D) (Residential, House, One-Family, Detached Dwelling) District and a 40-X Height and Bulk District. The Zoning Administrator held and closed a public hearing on the variance on March 26, 2003 and will issue a variance decision after the Discretionary Review hearing

SPEAKER(S): Same as those listed in item 15a.

ACTION: The Zoning Administrator Closed the Public Hearing and has taken matter under advisement with conditions: 1) there will be no direct access from the ground floor au pair room except through the sliding doors; 2) the project sponsor will pay up to \$3,000 dollars to the Discretionary Review requestor for them to install a skylight at their option.

Items 16 & 17 were called and heard together.

16. 2003.0832T (P. LORD: (415) 558-6311)
CONDITIONAL USE REQUIREMENT FOR RETAIL USES OF 50,000 SQUARE FEET OR LARGER - Consideration of an Ordinance adding Section 121.5 of the Planning Code and amending Sections 218, 814.31, 815.31, 816.31, 817.31, and 818.31 of the Planning Code to require that all retail uses, for which permit applications are submitted after the effective date of this ordinance, C-2, C-M, M-1, M-2, RSD, SLR, SLI, SSO, and SPD zoning districts, which are 50,000 square feet or larger may only be permitted as a

conditional use, providing additional criteria for the Planning Commission's review of such conditional use applications, providing that these provisions shall apply only to building permit applications received after the date of introduction of this ordinance, and making finding of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Continued from Regular Meeting of October 16, 2003)

SPEAKER(S): None

ACTION: The Commission passed a motion to recommend that the Board of Supervisors re-draft the proposed legislation identified in items 16 and 17 as stated by Commissioner Feldstein.

- ✓ ORIGINAL - Prohibit new retail uses that exceed 120,000 gross square feet.
- ✓ AMENDED - Require Conditional Use authorization for retail uses that exceed 50,000 gross square feet citywide. The original staff draft ordinance recommended CUs for retail uses that exceed 90,000 gross square feet.
- ✓ AMENDED - Consider the potential impact of such legislation on:
 - o Large-scale retail uses in the downtown C-3 Zoning districts in the vicinity of Union Square, and
 - o On large-scale wholesale uses, such as the Gift Center, if their market needs require opening up for retail sales.
- ✓ ORIGINAL - Require all project parking to be structured in a manner that creates or maintains active street frontage patterns.
- ✓ ORIGINAL - New findings for large retail use CUs should pertain only to encouraging mixed-use building opportunities.
- ✓ AMENDED - Consider extending the Child Care Ordinance and Transit Development Impact Fee Ordinance to capture retail uses citywide that exceed 50,000 square feet of gross floor area.

AYES: Boyd, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Antonini and Bradford Bell

RESOLUTION: 16689

17. 2003.0801TZ (P. LORD: (415) 558-6311)
CONDITIONAL USE REQUIREMENT FOR RETAIL USES OF AT LEAST 90,000 SQUARE FEET - Consideration of an Ordinance amending the Planning Code to add Section 121.6 to impose a conditional use requirement and other specified procedures for certain large-scale retail uses in excess of 90,000 square feet to prohibit such uses if they are in excess of 120,000 square feet.

SPEAKER(S): None

ACTION: Same as Item 16.

AYES: Boyd, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Antonini and Bradford Bell

RESOLUTION: 16690

18. 2003.01025D (K. AMDUR: (415) 558-6351)
1748 CLAY STREET - north side between Van Ness Avenue and Polk Street, Lots 7 and 8 in Block 619 - Request for Discretionary Review of Permit Application 2003.07.18.9858/R1 to convert approximately 3,000 square feet of vacant ground floor office space in a 2-story building to a childcare center for up to 40 children dba "Tiny Giants" in the Polk Neighborhood Commercial District and a 65-A Height and Bulk District. The center would utilize an existing outdoor area to the east of the building. Preliminary recommendation: Take Discretionary Review and approve the permit with conditions.

SPEAKER(S): None

ACTION: The Discretionary Review request was withdrawn prior to the hearing.

19. 2003.0753D (D. JONES: (415) 558-6477)
2371 44TH AVENUE - west side of 44th Avenue between Santiago and Taraval Streets., Lot 015 in Block 2373 - Discretionary Review request, for a building permit (No. 2003/03/05/8857) to allow the construction of a one-story, rear horizontal extension to an existing two-story, single-family dwelling. The property is located in the RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as modified.

SPEAKER(S):

(-) Ann Tileman – Discretionary Review Requestor

- She is opposed to the project because it will cause an impact to her rose garden.
- It would make more sense to build an addition to the top of the house.
- The project sponsor does not want to speak to her.
- She deserves the same consideration as the project sponsor.
- She believes that the project should be denied.

(+) Tom Sherutti – Project Sponsor

- He and his wife purchased the home about 6 years ago.
- His family is growing. They just had a son and plan to have more children in the future.
- They really enjoy the neighborhood and that is why they don't want to leave. It is more feasible to build an addition.
- He has letters of support for his project.
- He displayed a shadow analysis proving that there will be little impact on the DR requestor's garden.

(+) Connie Sirie

- Her neighbors were not able to attend the hearing but she read two letters of neighbors who are in support.

(+) Joyce Chan

- This is a very small addition.
- She has lived at the subject property for 20 years.

ACTION: Took Discretionary Review and approved the Project with Modifications: seal off second entry from ground floor.

AYES: Boyd, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Antonini and Bradford Bell

6:00 P.M.

20. (L. BADINER: (415) 558-6411)
EASTERN NEIGHBORHOODS COMMUNITY PLANNING - The Planning Commission will discuss and possibly adopt Interim Policies and/or discuss and direct staff to prepare a resolution for initiation of Interim Controls. Planning Department staff will provide a status report on the Environmental Review process for the Rezoning of the Eastern Neighborhoods. The Planning Commission will also schedule a subsequent hearing to review and discuss the work scope of Public Benefit Zoning and Community Impact Report (Socio-Economic Analysis) and to discuss non-conforming uses.
Preliminary Recommendation: Adopt Interim Policies
(Continued from Regular Meeting of November 13, 2003)

SPEAKER(S):

My Do – Mission Economic Development Association

- She presented some data regarding PDR businesses particularly--those in the Northeast Mission.
- In 2002, MEDA worked with the Planning Department to survey PDR businesses. For the Northeast Mission there were a total of 39 respondents. Roughly half of these respondents had been at their location 10 years or more and 44 percent had been at their location 4 to 10 years, indicating that these businesses are relatively stable.
- In the survey, half as many businesses were planning to expand. Forty-two percent of the businesses indicated they were considering relocation.
- The primary reasons for relocation were: lack of space, high rents, payroll taxes and incompatible neighbors.
- One can infer that the PDR businesses are relatively stable but found themselves in a less than friendly environment due to previous land use decisions.

Jim Meko – SOMA Leadership Council

- He passed up sign-in sheets that cover a 2 ½ year period of events that the SOMA leadership council has sponsored. This represents the outreach that they tried to really involve the community in talking about Planning in the SOMA.
- He is not here to speak of all of SOMA.
- There is a general satisfaction with the current zoning in SOMA.
- The 1990 zoning is good zoning, although everyone does not agree with all of the zoning.
- The loop holes have been closed up.
- It is time for everyone to get over it and move forward on this.

Curtis Eisenberger – Mission Coalition for Economic Justice and Jobs

- He tanked the planning staff for being more open and inclusive recently and start to listen to concerns of property owners and businesses in the Northeast Mission.
- He thanked planning staff for not taking a precipitous action last week on interim policies or interim controls because these need more work and more studies.
- Regarding policies vs. controls, the Coalition does not see the need for either of these. But if one had to make a choice, it would be policies instead of controls.
- The proposed controls categorizes PDR by size and not by use. This is a mistake. He has concerns over properties that would become non-conforming under the new proposed zoning. He wants to encourage more flexibility in PDR.
- He does not agree with the 1 to 4 ratio of PDR replacement.
- He urges that the Commission not take action this evening.

Thomas Shuen – Asian/Mission Business Association

- He urges the Commission not to make a rushed decision.
- When a policy is adopted it should be citywide and not just from one district to another.
- He urges the Commission to analyze all aspects of the question.

Milton Gaines

- Last week Commissioner Antonini asked for specific examples of PDR uses leaving the City due to Planning and Zoning policies. During the last 60 days, Margery Baer, costume jewelry with 20 employees quietly sold her building and moved to South San Francisco.
- The Mission Interim Controls passed by Supervisor Amiano in 2001 actually implemented a moratorium on new housing in the Mission.
- He believes that policies should be passed instead of controls.

Jeffrey Leibovitz

- He urges the Commission not to put forward interim controls.
- Interim Controls require additional public hearings.
- He urges the Commission to adopt policies.

Fred Snyder

- He thanked the Commission for giving the public another week to look at the document.
- He realizes that things are being rushed but this is very important in order to get everything on the table.

- He showed a map of the Mission/MEMIZ and how it is a core PDR area.

Phillip Lesser – Mission Merchant's Association

- He concurs with the earlier speakers that there should be policies and not controls, specifically for the shopping corridor of Mission/Valencia, 16th Street, 24th Street, etc.
- This is a very transit rich area in San Francisco and it is important to know how to encourage development.
- It would be horrific to do something to downzone density.
- He implores the Commission not to discriminate against the Mission again.
- Parking should be "unbundled."

Shawn Gorman

- He lives in Potrero Hill.
- The current map that is being proposed for the controls or policies is very wrong.
- He displayed a revised map which identified the areas that are not going to change--17th Street, and option B.

Alice Barkley

- She has written a letter to the Commission which states a lot of the points that have been addressed by other.
- This Commission needs to adopt interim policies and not controls. Policies will allow staff to evaluate each case.
- The major objection she has is the November 13, 2003 map which is totally contrary to the community consensus of the 17th Street area.
- One cannot measure PDR by size.
- Putting core PDR across a park can cause a lot of problems.

Shawn Keighran

- He is about to purchase a property on 17th and Carolina Streets.
- The process has been in place for 14 months. Plan B called very clearly and very specifically for a pedestrian friendly atmosphere on 17th Street.
- Last Thursday, Mr. Ghosh of the Planning staff came up with a plan that is contrary to what was being presented before. If there were going to be meetings, why were the public not listened to.
- He feels he is owed an explanation. He feels that it is cowardly that Mr. Ghosh is not here this evening.

Luis Granados

- He is here to remind the Commission about the decision they will be making in a few weeks.
- This is not something that the public hopes to get. The decision of the Commission can either strengthen businesses or destroy them.
- There is a sense of unreliability with the numbers in the document.
- There have been a lot of PDR spaces that have been converted to business services.
- Some of the spaces are being purposely kept off the market because they are waiting for the office market to pick them up.
- Focus groups, surveys, and interviews have been done to get information on PDR businesses.
- He encouraged the Commission to think of the alternative 2 benefits and think about who benefits from this?
- He urged the Commission to adopt interim controls.

Emeric Kalman

- About 42 days ago, since the October 9, 2003 hearing, he raised a few points--mainly that the department violated the provision of due process of the Sunshine Ordinance.
- He also mentioned the sections which were not followed.
- He is here to ask again if the issues which he raised were taken care off. The Ethics Commission can only investigate violations of the Sunshine Ordinance if one notifies the respondent of the alleged violation within 40 days before filing a complaint. The respondent did not get the alleged violation.
- The Commission is doing spot zoning. This is out of control.

Tai Via – Cobletz, Patch, Duffy and Bass

- She was here last week urging the Commission to leave West of SOMA out of these policies.
- Since that time it has come to the attention of the Leadership Council and it is their consensus that they agree with leaving West SOMA out of the controls.

Michael Halprun

- Housing is what this City needs.
- It is very clear that people who have spoken are not looking at housing. They are looking at protecting jobs, and developments.
- It is important to create opportunities for young people to live here.

ACTION: Hearing Held. Public Comment Closed for Tonight. No Action at this Time. However, it was requested that streets be identified on the maps. Next hearing is scheduled for December 18, 2003.

E. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKERS:**Emeric Kalman**

- He spoke on the previous item because his name was called but he actually wanted to speak during general public comment.
- He would like to get his questions answered—the ones he raised at the October 9, 2003 hearing.

Commission Secretary:

- She requested that Mr. Kalman call her tomorrow so that she can assist him.

Adjournment: 9:03 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JANUARY 8, 2004.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

DOCUMENTS DEPT.

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, December 4, 2003

JAN 29 2004

SAN FRANCISCO
PUBLIC LIBRARY

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: Edgar E. Boyd

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:37 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Amit Ghosh; David Alumbaugh; Steven Shotland; Marshall Foster; Joshua Switzky; Jim Miller; Max Putra; Mary Woods; Glen Cabreros; Geoffrey Nelson; Nora Priego – Transcription Secretary; Linda Avery -- Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 1a. 2002.0605CV (J. IONIN: (415) 558-6309)
4614-4630 CALIFORNIA STREET - "The St. James Episcopal Church and Pre-School"; Lot 049 in Assessor's Block 1368 - Request for Conditional Use authorization pursuant to Section 209.3(f) & (j) of the Planning Code to allow for the demolition of existing structures and construction of a new building for the St. James Episcopal Church administrative facilities, offices for non-profit counseling accessory to the church-related services, and a child-care facility providing less than 24-hour care for 13 or more children by licensed personnel within an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions.
(Continued from Regular Meeting of October 2, 2003)
(Proposed for Continuance to December 18, 2003)
SPEAKER(S): None
ACTION: Without hearing, item continued to December 18, 2003.
AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
ABSENT: Boyd and Hughes

- 1b. 2002.0605CV (J. IONIN: (415) 558-6309)
4614-4630 CALIFORNIA STREET - Article 1.5 Section 150(b) of the Planning Code requires child care facilities to provide one independently accessible off-street parking space for every 25 children, where the number of such children exceeds 24. Section 150(d) requires that existing parking spaces be retained. The project proposes no new off-street parking spaces and the elimination of one off-street parking space where 1 is required (based on the existing deficiency). Article 1.2 Section 134 of the Planning Code requires a 45 percent rear yard, which can be reduced to 25 percent through averaging or 15 feet whichever is greater. The project proposes a 15 foot rear yard where 25 feet are required.
(Continued from Regular Meeting of October 2, 2003)
(Proposed for Continuance to December 18, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to December 18, 2003.
AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
ABSENT: Boyd and Hughes

2. 2003.1077C (E. TOPE: (415) 558-6316)
1970 McALLISTER STREET - north side between Central Avenue and Lyon Street; Lot 014 in Assessor's Block 1159 - Request for Conditional Use Authorization pursuant to Planning Code Section 185 to allow a five-year extension of an existing nonconforming automobile repair garage (Carlos Exclusive Auto Service) in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to February 5, 2004)

SPEAKER(S): None
ACTION: Without hearing, item continued to December 18, 2003.
AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
ABSENT: Boyd and Hughes

B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption - draft minutes of November 6, 2003.

SPEAKER(S): None
ACTION: Without hearing, item continued to December 11, 2003.
AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
ABSENT: Boyd and Hughes

4. Commission Comments/Questions

Commissioner Bill Lee:

He requested that staff work with the Department of Public Works regarding the placement of PG&E Capacitors on City Streets and set up some guidelines. Some of these capacitors should be grounded and not on posts. As part of the priorities for the Planning Department for next year, staff should figure out if there is a way to regulate a placement for these capacitors.

Commissioner Bradford Bell:

- Wished a happy birthday to Jim Nixon.
- Wished a happy anniversary (2 year with the department) to Jean Paul Samaha.

Commissioner Antonini:

- In case the public was not able to see last week's hearing, he had asked for the amendment process to possibly begin on the Housing Element before such time as the environmental review was complete and basically the feeling from the Commission was that that was not what they wanted to do.

Commissioner Sue Lee:

- Regarding the Board of Supervisors not having a process in place to deal with appeals. She asked if staff had communicated this question to the Board of Supervisors.

Acting Director Badiner responded:

- He feels that staff has communicated this in an informal way to the Board of Supervisors. The first of these appeals is coming up next week for 701 Lombard Street. He was going to make a somewhat impassioned plea at that time.
- Everybody deserves a clear process.

Commissioner Sue Lee:

- She requested that staff submit a letter regarding this issue to the Board of Supervisors.

Jan Paul Samaha:

- Supervisor Peskin has introduced legislation about the CEQA appeals to the Board of Supervisors.

Commissioner Bradford Bell:

- She also wished a happy birthday to Linda Avery.

C. DIRECTOR'S REPORT**5. Director's Announcements*****Re: Changes in Last Year's Budget***

- In September, staff reported on the changes in last year's budget. A few weeks ago staff reported on the audit. It is now time to start working on next year's budget.
- Staff has begun discussions on the budget although we have not received formal instructions from the Mayor's Office.
- He wants to start this so that Commissioners can begin to make comments on various issues like the work program, what the priorities are, etc.

**6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – November 25, 2003 Hearing:*****Land Use Committee Meeting*****888 Howard Street**

- This was a hotel that was approved by the previous Commission. It is a 34 story hotel that required rezoning for a height reclassification and some changes in terms of transfer development rights because there were not enough in the District to building this project. The Staff and the Commission had concerns about open space. The open space did not meet the solar access guidelines. The determination was that about 4,000 square feet more of open space should be developed.

- The Board recommended approval of the reclassifications that allowed the project to go ahead. Without comment, the Board approved it. He apologized, but does not remember the vote.

BOA:***3632 Sacramento Street***

In 1992, the Commission allowed the conversion of a dwelling unit to office on the second floor. There was a window of opportunity when this could be done legally. The owner of

the building died and the new owner tried to get the permit later but the Planning Department would not allowed it. This was appealed to the Board. The City Attorney advised the Board that they could not hear the case but they heard it anyway. The Board overturned the Commission's decision and allowed the conversion of the dwelling unit.

D. REGULAR CALENDAR

- 7a. 2002.0628EIKXCV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Adopting findings under the California Environmental Quality Act, as described in a Final Mitigated Negative Declaration dated September 22, 2003, in connection with a proposal to construct a new building approximately 23 stories and 235 feet in height, with a gross area approximately 497,000 square feet, containing approximately 246 dwelling units and 5400 square feet of ground floor retail, and a parking garage. The site is in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts. The project is the subject of a concurrent entitlement hearings.
Preliminary Recommendation: Adopt CEQA Findings
(Continued from Regular Meeting of November 13, 2003)

SPEAKER(S):

(+) Eric Tao – AGI Capital

- The project is scaled appropriately for future growth and development of the area.
- The project is consistent with the San Francisco General Plan.
- The project is also designed by an award winning architectural firm.
- The project has also met requirements by various neighborhood groups.
- The EIR has demonstrated that there will be a demand in parking.

(+) John Sheeky – Architects International

- The architect gave a PowerPoint presentation on the architectural aspects of the project.

(+) Jim Haas – Civic Pride

- This project is a residential project and will help the area become a residential neighborhood.
- The mid-Market PAC EIR states that there will be a parking deficit in the next few years.
- Civic Center is a very unique place.
- All the surface parking is disappearing.
- The parking garage will fill a great need to keep the area vibrant and flourishing.

(-/+) Jeremy Nelson – Transportation for a Livable City

- He opposes this project on behalf of TLC. If one looks at the residential and the commercial, it would be a good project.
- The parking garage is a dead streetscape.
- This City deserves world-class development.
- He recommends that the Commission direct the developer to construct more housing and less parking and to make the 5 stories along Stevenson Street a little bit more active.
- The developer can make a good project even better.

(+) Jim Salinas – Carpenter's Union Local 22

- The members that he represents support this project because the project sponsor has taken his responsibilities very seriously.
- This is a better use for that piece of property. There is a demand for parking in the area.
- The affordable housing component can only help the City of San Francisco.
- He hopes to see young brothers and sisters start new careers because of this project.
- He asked the Commission to support this project.

(+) Vicky Velarde

- She lives in Santa Rosa, but comes to enjoy the theatre in the Civic Center area.
- Transportation into and out of San Francisco is very difficult.
- At night parking is difficult and sometimes impossible.
- It would be nice to have a parking garage that would be safe and well lit adding to her ability to enjoy the wonderful City of San Francisco.

(-) Norman Rolfe – San Francisco Tomorrow

- San Francisco already has traffic congestion problems. It is important to put more people on public transportation.
- Parking breeds autos.
- People should be encouraged to take public transportation and discouraged to drive.
- He would like to limit the residential parking to 1 to 4 and require that the parking be underground.

(-) Cheryl Brinkman – Walk San Francisco

- There are a large number of people who would prefer to walk if the area was safer.
- The blank walls in the existing alley will be very dangerous.
- They have been working very hard to encourage people to walk.
- The Planning Commission should be working with them to increase the safety of the area.

(-) Leah Shahum - – San Francisco Bicycle Coalition

- Their offices are located near the area where the project is being proposed.
- Bike and pedestrian conditions are being improved.
- They oppose the parking proposal.

(-) Howard Strassner – Sierra Club

- The Sierra Club opposes the parking garage.
- This parking garage is not necessary so the Commission should oppose it.

(-) David Wilbur – Mid-Market PAC

- He thanked the developers for coming to the mid-Market PAC to present this project.
- It is true that an entertainment district is being planned. But a garage would only cause a lot of congestion.
- Comb the streets; add cafes, bars, restaurants, etc is what needs to be done instead to revitalize the area.

(-) David Snyder – Transportation for a Livable City

- There are various organizations that are opposing the parking garage.
- He requested that the Commission deny this conditional use.
- The reason why the parking demand has not been demonstrated is because the parking garages are not being used to their entirety and car-pooling has not been taken into account.
- This commission should not approve this project until there is a thorough analysis of a multi livable system

(-) Sue Hestor

- The parking garages around the City are very unpleasant to walk by.
- The issue of parking is very huge.
- No one is opposing the housing aspect of this project. Everyone is only opposing the parking.
- This project will deaden the area.

ACTION: Adopted CEQA Findings
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd
MOTION: 16691

- 7b. 2002.0628EIKXCV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Review under Planning Code Section 309 and for exceptions, to construct a new building approximately 23 stories and 235 feet in height, with a gross area approximately 497,000 square feet, containing approximately 246 dwelling units and 5400 square feet of ground floor retail, and a parking garage, to replace an existing surface-level parking lot containing 168 spaces. The requested exceptions are for bulk requirements of Section 270 and for exceedences of the pedestrian comfort wind speed criteria of Section 148. The site is in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts. The project is the subject of a concurrent hearing for a Conditional Use authorization.

Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of November 13, 2003)

SPEAKER(S): Same as those listed for Item 7a.
ACTION: Approved as Amended: 1) 10, 3-bedroom units; 2) 98, 2-bedroom units; and 3) 3:4 parking ratio for residential units.
AYES: Antonini, Hughes, S. Lee, W. Lee
NAYES: Bradford Bell and Feldstein
ABSENT: Boyd
MOTION: 16692

- 7c. 2002.0628EIKXCV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - Request for authorization of Conditional Use for a public storage garage for passenger vehicles (Planning Code Section 223(m)), and for parking in excess of accessory amounts (Planning Code Section 204.5) in conjunction with construction of a new, 23-story residential building, replacing a surface-level parking lot containing 168 spaces with a residential apartment building 23 stories in height and approximately 497,000 gross square feet in size. The site is in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts.

Preliminary recommendation: Approval with Conditions, including limiting residential parking at 1:2.
(Continued from Regular Meeting of November 13, 2003)

SPEAKER(S): Same as those listed for Item 7a.
ACTION: Approved
AYES: Antonini, Hughes, S. Lee, W. Lee
NAYES: Bradford Bell and Feldstein
ABSENT: Boyd
MOTION: 16693

- 7d. 2002.0628EIKXCV (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 in a C-3-G (Downtown General Commercial) District, and in 150-S and 240-S Height and Bulk Districts. Dwelling Unit Exposure Variance Sought: The proposal is to construct a new 246-unit, 23-story residential building with a 504-space parking garage. Up to 180 of these dwelling units are to be side facing (without direct frontage on a street, a complying rear-yard area, or other open area with sufficient minimum dimensions to comply with Planning Code Section 140).

(Continued from Regular Meeting of November 13, 2003)

SPEAKER(S): Same as those listed for Item 7a.

ACTION: Zoning Administrator Closed the Public Hearing and Granted the Variance for Exposure.

Items 8 and 9 were called and heard together following item 6.

8.

(D. ALUMBAUGH: (415) 558-6601)

RINCON HILL PLAN DRAFT FOR PUBLIC DISCUSSION -

Informational presentation on the Draft for Public Discussion of the Rincon Hill Plan.

Preliminary Recommendation: None: Informational Presentation

Rick Kaufman – City Core Development

- 333 Fremont Street is a project he is working on.
- The projects that have been applied for already should not be “held hostage” as the City finds a way to act.
- The housing crisis is clear. He requests that the Commission do what is best to move these projects along swiftly.
- It is important to have communication between the Commission, the Department and the Public.
- He has never seen a model of how increasing the cost of building homes is going to provide affordable housing.

Debra Stein

- She commended staff on their vision of the neighborhood on a micro level.
- Action needs to be taken today and guidance provided to staff in order to apply the policies that the Commission wants to establish.
- There should be a more realistic housing plan.
- There is a suggestion that the view protection plan will assure the creation of a 40 to 60 foot height towers.
- Housing optimization plan is more important than this view protection plan.

Rev. Arnold Townsend

- In this plan any off site affordable housing that is created in Rincon can only be used in Rincon.
- It is difficult to find inexpensive land in the Rincon Hill area.
- It is important to do off site housing.
- If housing is built in Rincon, all of San Francisco should benefit.
- He urges the Commission to direct staff to rethink this issue.
- Every onramp to Freeways start in SOMA.

Trevor Boddy

- He urges the Commission to reconsider all current development applications in the Rincon area.
- It is important to very carefully examine the schemes.

James Haas – Transbay CAC

- He has been involved in the Rincon community for many years.
- The whole motivation started on what to do with the old bus station.
- The issues of financing and what the terminal will look like are still things to look at.
- There is still a lot of Planning to do and the public or the Commission should not rush into things.

Gabriel Metcalf

- The staff has done incredible urban planning design work.
- He is in favor of putting the urban design goal and balancing that with the housing design goals.
- This area is an incredible place to put housing.

- It is irresponsible to put forward exactions without really analyzing and studying the fees.

- It is important to be extremely cautious.

David White – SPUR

- He was hired to do a neighborhood needs assessment.

- There are still a lot of issues that need to be studied before this plan can be put forward.

- He will be working with various companies to prepare this assessment.

Steve Wilson, attorney – representing Archdiocese of San Francisco

- He is working on a project at 99 Fremont Street.

- They have taken a quantum leap on this plan but there is still much more that is needed.

- He asks that the Commission give staff more direction.

- The housing is the most important aspect and what the City really needs.

- The plan collides with government code 53313.

Ron Carlson – RC & Associates

- The area is not appropriate for such tall projects.

- He is a native San Franciscan and there are a lot of differences between Vancouver and San Francisco.

Lu Blazej

- He displayed a document: "Existing Height and Bulk Districts" explaining how he did not understand why this document was not provided to the Commissioners.

- He urged staff to do a plan that would optimize more housing in the area.

Clark Manus, Architect

- He commended staff on a very well put together document but with serious flaws.

- The presentation actually did not provide him with the information that is in the document.

- He lives in the real world so there are issues that still needs to be dealt with.

- Mixed Use is what the public wants to see here.

- One of the things that the department has failed to do is [consider] the dynamics regarding high rise residential buildings.

- He does not dispute the department's desire to promote tower separations.

- Section 270 and 271 cannot be applied.

Roger Brandon

- The area is not a neighborhood, but is part of the downtown business area.

- What kind of people want to live in residential towers in the downtown area?

- This is the densest plan in the City.

- This is all a bad idea.

- This project should not be passed.

Dick Millet

- He is opposed to the 200-foot height limit.

- He is having trouble with obtaining the information from the department. He is getting information from the newspapers.

- There are plenty of other areas to build these type of things.

Kelly Dearman

- She has been trying to get people qualified to purchase units from a 20-unit building 20 units in the Bay View.

- People are excited to purchase units in their own neighborhood.

- If developers continue to have the option of off-site, affordable housing will be built in various neighborhoods.

- She urges the Commission to direct staff to continue to build off site housing.

Sue Hestor

- She reminded the Commission that there are two presentations from staff.

- The spacing between the towers should be large.

- The Commission needs to direct staff that the public needs independent full urban design information.
- The public would go to the Board of Supervisors with the Commission to request money to be able to have these studies done.

Tim Tosta

- He presented a study from the City of San Jose regarding economic development.
- It would be misleading that the Redevelopment Agency and Planning are closely working together.
- There are a number of issues here that still need to be dealt with.

Calvin Welsh

- The principal need in San Francisco is for affordable housing.
- It is important to house the projected work force.
- The economic and social reality needs to be analyzed.
- Staff has been silent on the issue of affordability.
- The need is for affordable housing and not just housing.
- There is some great discussion that the staff recommendation for this area is a public benefit fee.
- A fee is absolutely critical.

Theodore Brown

- He has been working on a project on Fremont Street for two years.
- Everything required for this project has been filed. Now with this plan, everything has been changed on him.

Joe O'Donoghue

- Everything needs to be analyzed together and there is no financial analysis or model and this is essential.
- The cost of concrete construction is now cheaper than that of frame construction. The cost of plywood has doubled.
- A lot more data is needed as well as a comprehensive plan.

Steve Vettel

- He commended staff on a very good plan.
- All the comments heard here today should be incorporated into the report.
- At the Bank of America site there are two towers being proposed.
- In order to do this, the building will have to be demolished. One thing that surprised him is that there is mention of preserving the tower. There cannot be a planned unit development if the tower is intended to be preserved.

Bob Meyers

- He urges the support of the 80-foot tower separation and the 250-foot height limit.
- He strongly opposes the staff's preferred option.
- Rincon is not Transbay and it is especially not Vancouver.
- He urges the Commission to support reality.

Marilyn Amini

- The Commission has already approved two projects that are not in conformance with the plan being presented.
- She asks that the Commission reconsider the decision on the Folsom and Spear Street project.
- It is important to do an environmental review for this area.

ACTION: Hearing Held. Informational Presentation Only. No Action Required by the Commission.

9.

(D. ALUMBAUGH: (415) 558-6601)

TRANSBAY REDEVELOPMENT PROJECT AREA DESIGN FOR DEVELOPMENT -

Informational Presentation by the SF Redevelopment Agency on the Transbay Redevelopment Area Design for Development Plan.

Preliminary Recommendation: None: Informational Presentation

SPEAKER(S): Same as those listed for Item 8.

ACTION: Hearing Held. Informational Presentation Only. No Action Required by the Commission.

10.

(PUTRA/WILSON: (415) 558-6233/558-6163)

RESIDENTIAL DESIGN GUIDELINES - Presentation on the revised Residential Design Guidelines (Guidelines) for all residential projects in RH (Residential House) and RM (Residential Mixed-Density) zoning districts. This is the third and final public hearing on the proposed Guidelines to provide the Planning Commission with all modifications made to the Guidelines after receiving comments and recommendations from the public and the Planning Commission at the May 22, 2003 and the October 23, 2003 hearings, and at follow up meetings held by Department staff with the public.

Preliminary Recommendation: Adopt the draft version of the December 2003 Residential Design Guidelines as policy.

SPEAKER(S):

Jerry Lax

- He has worked in San Francisco for 24 years.
- He is concerned about some of the limitations associated with the guidelines.
- The projects that he has worked on over the years would not meet the guidelines being proposed.
- He has met with staff and staff has integrated a setback, which he has applied to his projects.

Ron Miguel

- He has commented before on the Residential Design Guidelines.
- There were two comments made today regarding the manner in which the residential design guidelines are being handled throughout the department. One is that clarity and consistency are very important. The other is that he was please that the guidelines will not be instituted immediately in order to give time for training of staff.
- Many times there is confusion with the public because of the interpretation from staff when there is no consistency.
- It is important that staff learn how to interpret them so that the public knows where they stand at all times.

John Slessinger – American Institute of Architects

- The idea behind the letter he submitted is just to suggest friendly amendments in future hearings regarding the guidelines.
- They have reviewed the guidelines.
- Some of the most important items to consider are that the Commission and staff recognized that there will be items that will come back during future hearings. There isn't enough information regarding solar access and solar collectors. He urges the Commission to direct staff to obtain a companion piece to the guidelines for zoning regulations on this.
- Also, the issue of height and bulk needs to be clear.

Marilyn Amini

- She requested that the Commission not take an action today because it was not available until last Monday.
- The resolution that is before the Commission states that the guidelines will be required in the project design and community response process. Also the Planning Executive Summary states that there are new issues that need to be addressed.
- The public needs more time to have an opportunity to respond.
- The resolution also has a date of today, but the hearing is just happening.
- If the guidelines were made more specific, it would help planners to solve disagreements.

ACTION: Approved as Amended:
1) Delete solar panel language with the stipulation that staff will continue to work with the relevant departments and bring it back for possible amendments in six months; 2) clean up typos and unclear language; 3) clarify the language on the historical resource section starting on page 49.
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd
MOTION: 16694

11. 2003.0865C (D. DIBARTOLO: (415) 558-6291)
1356 GRANT AVENUE, southeast corner at Green Street; Lot 051 in Assessor's Block 0132: Request for Conditional Use authorization under Section 722.42 of the Planning Code to establish a Full-Service Restaurant in the North Beach Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. The proposal is to allow a Full-Service Restaurant (serving Thai food) to operate within the North Beach Neighborhood Commercial District. This proposal would reduce the size of the existing Retail Video Store, on the ground level, from 2,400 square feet to 800 square feet, converting 1,600 square feet for the establishment of the new Full-Service Restaurant. The proposal will also renovate the existing storefront, but not expand the existing building.

Preliminary recommendation: Approval with Conditions

SPEAKER(S): None
ACTION: Approved
AYES: Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Antonini and Boyd
MOTION: 16695

12. 2003.0924C (D. DIBARTOLO: (415) 558-6291)
659 COLUMBUS AVENUE - west side between Union and Filbert Streets; Lot 003 in Assessor's Block 0101: Request for Conditional Use authorization to add a Full Bar at the existing Full-Service Restaurant under Section 722.41 of the Planning Code in the North Beach Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. At present, the restaurant (dba "Frankie's") is permitted to carry Alcoholic Beverage Control (ABC) license type 41 to serve beer and wine on the premises. Conditional Use Authorization approval will allow the restaurant with bar to carry a license type 47 to serve beer, wine and distilled spirits on the premises. No alteration to the building or any other modifications to the operation of the bar are proposed.

Preliminary recommendation: Approval with Conditions

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
ABSENT: Boyd
MOTION: 16696

13. 2003.0963C (D. DIBARTOLO: (415) 558-6291)
1160 POLK STREET (AKA 1157-1199 SUTTER STREET), southeast corner at Sutter Street; Lot 13 in Assessor's Block 0692: Request for Conditional Use authorization to allow amplified live and recorded music and a dance floor (defined as "Other Entertainment" by Planning Code Section 790.38) in an existing 1,530 square foot bar, dba "Vertigo Bar," in the Polk Street Neighborhood Commercial Zoning District and a 65-A Height and Bulk District. Entertainment would occur between 8 p.m. and 1:30 a.m.

daily. No alteration to the building or any other modifications to the operation of the bar are proposed.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

David Curley

- The project sponsor has been a tenant for a long time.
- The project sponsor has done a fabulous job of making sure that the sidewalk is clean, that there are no homeless people, etc.

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16697

14. 2002.0658C (M. WOODS: (415) 558-6315)
735 - 7th AVENUE - southwest corner of 7th Avenue and Cabrillo Street, an "L-shaped" lot extending to 8th Avenue, between Cabrillo and Fulton Streets; Lot 36, in Assessor's Block 1650 - Request for conditional use authorization under Sections 121.1, 121.2, 151, 157, 204.5, 303, 711.11 and 711.21 of the Planning Code for lot size, use size and accessory parking for the construction of a new approximately 28,000 square-foot Safeway supermarket with up to 65 off-street surface parking spaces, to replace the existing approximately 16,000 square-foot Safeway supermarket, on an approximately 54,000 square-foot lot in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of November 13, 2003)

SPEAKER(S):

(+) **Bruce Qualls – Real Estate Manager for Safeway – Project Sponsor**

- The store has been at this location for 44 years.
- The proposed plans will eliminate all the negative concerns that the Planning Department had as well as the neighbors.

(+) **Silvano Garcia – Golden Gate Church of Christ**

- There are a number of concerns that the neighbors have: a lot of people are opposed to the housing aspect; and are also concerned with parking and traffic.
- They have met with Safeway several times.
- The neighborhood is happy to have the pharmacy.
- One of the things that the church will do is have a computer center so that people can order their groceries online.

(+) **Steve Carlson**

- He is glad that the housing aspect is no longer part of the project.
- The store as it is now is a great asset to the neighborhood and hopes that the plans are approved.

(+) **Mathey Zlatunich**

- He has lived in the Richmond for 10 years.
- He has attended the public meetings that Safeway has held.
- Safeway is really making a good neighbor effort to work with the community.

(+) **Diana Lee**

- She lives on 8th Avenue directly behind the store.
- She submitted petitions that support the new construction.
- Another petition she submitted was from customers that objected to the housing aspect of the project.
- Everyone loves the fact that the store will be improved.

- She requests that the new construction respect the character and integrity of the nationhood.

(+) Bill Lee

- He agrees with his wife and supports this project.
- Safeway has made a very good effort to be a good neighbor.

(+) Lin Kim Lennie Lee

- She has been a neighbor of Safeway for 40 years.
- The neighbors have responded very positively to this project.

(+) Ron Miguel

- The project sponsor did met with his neighborhood association.
- This is a very unusual store because it is located in a non-commercial district.
- The space is too small for the new store.
- The other amenities are good.

(+) Bruce Bellis

- He has lived in the neighborhood for 25 years and at first was apprehensive about the housing aspect but is glad that that is no longer part of the design.
- The pharmacy replaces one that was lost.
- The traffic in the neighborhood is already going to increase.

(+) Nina Steinman

- She supports this project because the store has been very accommodating to her.
- They feel very comfortable.
- She is concerned about the housing.

ACTION: Approved as Amended:

1) No on-street parking during construction; 2) access to the grocery store during construction will be provided through on-line shopping; 3) a new finding relating to access to the grocery store for Seniors during construction; 4) graffiti abatement; 5) landscaping maintenance; 5) rooftop equipment noise abatement and enclosure.

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

MOTION: 16699

15. 2003.0794C (G. CABREROS: (415) 558-6169)
1728-1748 HAIGHT STREET - north side between Shrader and Cole Streets, Lot 035 in Assessor's Block 1229 - Request for Conditional Use Authorization under Planning Code Section 719.21 to allow a retail space at the ground floor over 2,500 square feet in area. The proposal is for tenant improvements to establish an 8,733 square-foot retail space. Urban Outfitters, a youth-oriented retailer of men's and women's wear, home furnishings and accessories, would occupy the retail space. The subject property is within the Haight Street Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Disapproval.
(Continued from Regular Meeting of November 13, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 15, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

ABSENT: Hughes

16. 2003.0451C (G. NELSON: (415) 558-6257)
1529-1565 PAGE STREET, south side between Masonic Avenue and Ashbury Street; Lots 023, 027, 028, and 032 in Assessor's Block 1232: Request for Conditional Use authorization pursuant to Sections 209.3(h) and 304(d) of the Planning Code to demolish 2 three-unit apartment buildings (1529 and 1535 Page Street) and construct a 4-story,

approximately 19,000 square foot addition to the existing Urban School of San Francisco, within an RM-1 (Residential, Mixed-Use, Low Density) District and a 40-X Height and Bulk District, in the Haight/Ashbury Neighborhood. This proposal requires Conditional Use authorization because it proposes: 1) the expansion of a secondary school in an RM-1 District, 2) it proposes to modify a prior Conditional Use authorization granted in 1993 (Case No. 1993.0094C), and 3) it proposes to develop a project site of over ½ acre (also called a Planned Unit Development, or PUD), which would allow modifications to the standard Code requirements such as rear yard and open space. With the proposed project, the Urban School plans to increase enrollment from 250 to 380 students, as well as increasing full and part-time employees from 50 to 70. The new structure would contain classrooms, offices, a student center, a chemistry lab, and various support spaces. The proposed project would also add one off-street parking space to the existing basement parking at 1563 Page Street.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Without hearing, item continued to January 15, 2004.

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

ABSENT: Boyd and Hughes

17. 2003.0080C (G. NELSON: (415) 558-6257)
2599 LOMBARD STREET - southeast corner at the intersection of Broderick and Lombard Streets; Lot 016 in Assessor's Block 0938 - Request for Conditional Use authorization pursuant to Section 712.83 of the Planning Code to install eight (8) cellular antennas and related equipment cabinets on the roof of the Pacific Motor Inn as part of Verizon's wireless telecommunication network, within the NC-3 (Moderate Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. The proposed antennas would be mounted behind an existing parapet and would not be visible from the street below. The related equipment would be housed in a new 16' wide by 17' long by 7' tall mechanical penthouse that would be partially visible from several uphill residences. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the project site is a Preferred Location Preference 4, as it is a commercial building in an NC-3 District.
Preliminary Recommendation: Approval with Conditions.
(Continued from Regular Meeting of October 23, 2003)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 15, 2004.

AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee

ABSENT: Boyd and Hughes

- 18a. 2003.0295CV (G. NELSON: (415) 558-6257)
899 NORTH POINT STREET - southeast corner of North Point and Larkin Streets; Lot 026 in Assessor's Block 0020 - Request for Conditional Use authorization pursuant to Sections 209.1 and 228.3 of the Planning Code to construct an approximately 40-foot tall, 4-story, 5-unit residential structure containing 7 off-street parking spaces in an RH-3 (Residential, House, Three-family) District, the Waterfront Special Use District No. 2 and a 40-X Height and Bulk District. The project site was formerly a service station and is now in use as a parking lot. This proposal requires Conditional Use authorization because 1) it proposes a dwelling unit density of greater than 3 units in an RH-3 District and 2) it proposes to convert a service station use to residential use. This project is also seeking a Variance from the Planning Code, case No. 2003.0295CV.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of October 23, 2003)

SPEAKER(S): None
 ACTION: Without hearing, item continued to January 22, 2004.
 AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
 ABSENT: Boyd and Hughes

- 18b. 2003.0295CV (G. NELSON: (415) 558-6257)
899 NORTH POINT STREET - southeast corner of North Point and Larkin Streets; Lot 026 in Assessor's Block 0020 - Request for Variance from Section 134 of the Planning Code to construct a 4-story residential building into the required rear yard. Section 134 of the Planning Code states that the minimum rear yard depth in an RH-3 District shall be equal to 25 percent of the total depth of the lot on which the building is situated. Rather than leave a 22' wide gap in the North Point Street frontage, the proposal is to construct an approximately 40' X 22' portion of the project fully into the rear yard along North Point Street, leaving a comparable rear yard to the interior of the lot of approximately 1,480 square feet.
 (Continued from Regular Meeting of October 23, 2003)

SPEAKER(S): None
 ACTION: Without hearing, item continued to January 22, 2004.
 AYES: Antonini, Bradford Bell, Feldstein, S. Lee, W. Lee
 ABSENT: Boyd and Hughes

Item taken out of order and followed Item 13.

19. 2003.0397C (G. NELSON: (415) 558-6257)
1398 19th AVENUE - northeast corner of 19th Avenue and Judah Street; Lot 010 in Assessor's Block 1773 - Request for Conditional Use authorization pursuant to Sections 209.3(f), 209.3(j), and 303 of the Planning Code to convert a single-family dwelling to religious/institutional use within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, in the Inner Sunset neighborhood. The proposed project would augment the existing 19th Avenue Chinese Baptist Church facilities located 5 lots away at 1370-1374 19th Avenue, and would result in the interior configuration of the existing structure to contain a "fellowship hall" and several conference/classrooms, as well as the removal of one off-street parking space. The Church would operate several programs at the facility, including adult education, after school tutoring, weekend worship and educational activities, choir rehearsal, and a one-to-two-week summer day camp.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Lincoln Lew – Project Architect

- This property is four doors away from the Baptist church.
- The church is seeking this space for Sunday School, conference rooms, and to support church activities only.
- There would be no exterior additions to the proposed structure.
- With the existing garage, it is very difficult for cars to park inside because of the MUNI line that travels on that street.
- This is a much needed space for the members of the church.

(+) Terence Hui

- They started their activities in the basement of their current location.

(+) Rev. Henry Wong – Pastor

- He is representing his church people and they have been meeting in the area for more than 15 years.

ACTION: Approved as Amended: Retain the ground floor bathroom.
 AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee
 ABSENT: Boyd
 MOTION: 16698

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Re: An article in the newspaper

Joe O'Donaghue

- There was an article in the newspaper by L.D. Kiershenbaum. It attacked the credibility of the department and the Director that is not here.
- This article was written by a woman who was very articulate and has come to the Commission many times.
- On the Housing Element, this Commission has spent countless hours reading and working on this document.
- The article is absolutely disgraceful.
- This is just a cowardly act of journalism. If this lady had comments to make she should have come to this Commission to speak her mind.
- Many of the problems the Department has is related to the budget. That is why many projects cannot go through.

Adjournment: 9:56 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JANUARY 8, 2004.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, December 11, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

JAN 29 2004

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Lisa Feldstein,
Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:45 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Sara Vellve; Kate McGee; Elaine Tope; Dan DiBartolo; Glen Cabrerros; Jonathan Purvis; Kelley Amdur; Craig Nikitas; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2002.0376E (N. TURRELL: (415) 558-5904)
8 WASHINGTON STREET — Assessor's Blocks and Lots 201/12, 171/69, and 168/58 - Appeal of a Preliminary Mitigated Negative Declaration. The 109,225-square-foot project site is located at 8 Washington Street, between Drumm Street and The Embarcadero, on the edge of the financial district. The proposed project would involve the construction of an eight-story, 84-foot-tall, approximately 283,612-gross-square-foot (gsf), 120-unit, predominantly residential building with a health club facility and parking for 170 vehicles. The existing Golden Gateway Tennis and Swim Club facility would be removed and reconstructed on the northern portion of the project site. Pedestrian and vehicular access to the proposed residential/commercial building would be from Drumm Street. The site is zoned RC-4 (Residential-Commercial Combined, High Density) and is in an 84-E height and bulk district. The project would require Conditional Use authorization for Planned Unit Development, for bulk limit exception, and for parking.
Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration
(Proposed for Continuance to February 5, 2004)
SPEAKER(S): None
ACTION: Without hearing, item continued to February 5, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2003.0106D (M. WOODS: (415) 558-6315)
1910-12 STEINER STREET - east side between Wilmot and Bush Streets; Lot 018 in Assessor's Block 0659 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2003.06.18.7169, proposing to merge two dwelling units to a single-family residence in an RH-3 (Residential, House, Three-Family) District and 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and disapprove the proposed dwelling unit merger.
(Proposed for Continuance to February 5, 2004) February 12, 2004

SPEAKER(S): None

ACTION: Without hearing, item continued to February 12, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2003.0183D (G. NELSON: (415) 558-6257)
2477-2479 SUTTER STREET - south side between Broderick and Divisadero Streets; lot 022 in Assessor's Block 1076 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions of Demolition Permit Application No. 2002.08.13.3876, proposing the demolition of a two-story, two-family dwelling within an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District. There is a related proposal to construct a new, four-story, three-family dwelling with three off-street parking spaces.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Continued from Regular Meeting of November 13, 2003)

NOTE: On September 25, 2003, following public testimony, the Commission closed the public hearing, and entertained two motions: 1) to take Discretionary Review and disapprove by a vote +3 -3. Commissioners Boyd, Antonini, Bradford-Bell voted no. The motion failed; 2) continued the matter to October 16, 2003 by a vote +6 -0. Commissioner William Lee was absent.

NOTE: On October 16, 2003, the Commission entertained two motions: 1) To take Discretionary Review and disapprove the demolition, by a vote +3 -3. Commissioners Antonini, Bradford Bell, W. Lee voted no. Commissioner Boyd was absent. The motion failed. 2) Item Continued to November 13, 2003, the Commission requested that a representative from another City Department review the soundness report, by a vote +4 -2. Commissioners Hughes and S. Lee voted no. Commissioner Boyd was absent. Public hearing will have to remain open on at least the requested additional information.

(Proposed for Continuance to January 22, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 22, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 4a. 2003.0047DV (G. NELSON: (415) 558-6257)
44 LURMONT TERRACE - a cul-de-sac on the north side of Leavenworth Street between Greenwich and Lombard Streets; Lot 025 in Assessor's Block 0071 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2003.05.08.4119, proposing the demolition of a three-story, single-family dwelling within an RH-3 (Residential, House, Three-family) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Proposed for continuance to ~~January 8, 2004~~) January 22, 2004

SPEAKER(S): None

ACTION: Without hearing, item continued to January 22, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 4b. 2003.0047DV (G. NELSON: (415) 558-6257)
44 LURMONT TERRACE - a cul-de-sac on the north side of Leavenworth Street between Greenwich and Lombard Streets; Lot 025 in Assessor's Block 0071 - Request for Variance from the rear yard requirements of the Planning Code to construct a single-family dwelling partially into the required rear yard, within an RH-3 (Residential, House, Three-family) District, and a 40-X Height and Bulk District. Section 134 of the Planning Code states that in an RH-3 District, in the case of any lot that abuts along both its side lot lines upon lots with buildings that front on another street or alley, the minimum rear yard depth shall be 25 percent of the total depth of the lot, or 15 feet, whichever is greater. On the approximately 80-foot deep subject lot, this results in a rear yard requirement of 20 feet, with the south side of the lot being considered the rear. The proposed construction would project into the required rear yard by up to 11 feet at the ground (garage) floor level, extending to within 9 feet of the south property line. The application requesting a Variance will be heard by the Zoning Administrator.

(Proposed for continuance to ~~January 8, 2004~~) January 22, 2004

SPEAKER(S): None

ACTION: Without hearing, item continued to January 22, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee W. Lee

5. 2003.1012D (D. JONES: (415) 558-6477)
166 29TH STREET - south side of 29th Street between Dolores Street and San Jose Avenue; Lot 017 in Assessor's Block 6671 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all residential demolitions, of Demolition Permit Application No. 2003.06.04.6254, proposing to demolish an existing 1-story, residential unit with commercial space within an NC-1 (Neighborhood Commercial Cluster), and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

(Proposed for Continuance to January 22, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 22, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

Item 6 was taken out of order and immediately followed Roll Call:

6. EXECUTIVE SESSION RESULTS

In open session the Commission shall by motion and vote elect to:

- a) Disclose no information, or
- b) Disclose information which a majority deems to be in the public interest.

SPEAKER(S): None

ACTION: Commission moved to not disclose information relative to the Executive Session.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

7. Consideration of Adoption – Draft Minutes of November 6, 2003.
(Continued from Regular Meeting of December 4, 2003)

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Feldstein, Hughes, S. Lee

EXCUSED: Bradford Bell, Boyd, W. Lee

8. Commission Comments/Questions

Commissioner Hughes:

Re: Discretionary Review Policy Revisions

- These revisions are tentatively scheduled for next week and he wondered if the revisions are ready.

- He suggested that the date be moved since in the event that the draft is circulated three or four days prior to the date of the hearing, he feels that there will be a room full of people that say that they have not had enough time to look over the information. In order to avoid that, he suggests that that item be moved.

Commissioner Antonini:

Re: Ballot Measure

- There is a ballot measure that will be coming up in the March, 2004 primary election that has to do with work force housing. He is not sure if it is called Prop G or H.

Questions have arisen from the public regarding this that would allow it to take place without going through the planning process and he is not sure why. He requested that the Acting Director discuss this.

Commissioner Bill Lee:

Re: Entertainment Commission

- He requested that the Planning Department work with the Entertainment Commission regarding rules and regulations that would affect any type of entertainment permits that the Entertainment Commission staff would approve.

9. **ALTERNATING CASE TYPES** - In September, 2003, the Commission instituted a policy, on a trial basis, to alter how project types were to be scheduled on their public hearing calendars. At that time, it was felt that with all case types on the same calendar, some were being heard consistently while others were being continued consistently. In an attempt to address this, it was established that case types would be alternated with Discretionary Review (DR) cases scheduled on one hearing day and other non DR cases on an alternate hearing day. **At this time, the Commission would like to discuss the effectiveness of alternating case type schedules, and consider maintaining it, modifying it, or abolishing it.**

SPEAKER(S):

Larry Paul – Architect

- He is also a Planning Commissioner for the City of San Rafael.

- He suggested to have an accessory design review board/panel that would consist of neutral architects;

- Or have the City organize a design review board that would make recommendations.

- This would decrease some of the case loads.

Steve Currier – Outer Mission Residents Association

- He agrees with Commissioner Sue Lee's comments about getting comments from the public on this.
- One of the reasons that the calendar is the way it is now is because the Commission was not in session for several months. This caused a back log.
- He feels that this back log is a hardship on the homeowners.
- Having a mixed calendar is a blessing.

Commission Secretary (Comments from Ms. Sue Hestor):

- She (Ms. Hestor) does not agree with the alternating schedule;
- Materials do not get into the packets early enough, which is a hardship on the public.
- This item should have been noticed with more time in advance so that the public could comment.

Elaine Tope – Staff Planner

- She has worked with design boards and feels that this is a way to settle various design issues for projects and not have them come before the Commission.
- It is not important to her if the calendar is mixed or alternated.

ACTION: Continue the alternating schedule subject to review again in approximately 60 days or upon receipt of staff's recommendations to changes in the Discretionary Review process or adoption of policies related to administrative review of the Discretionary Review process.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

C. DIRECTOR'S REPORT**10. Director's Announcements***Re: Housing Element*

- The Commission directed staff to begin the environmental review process. A negative declaration will be issued within the next couple of weeks. The appeal period will be extended because of the holidays.

Re: Rincon Hill Plan

- Included in the presentation last week was an announcement about a scoping meeting this coming week. The cards announcing this meeting were not mailed because corrections needed to be made. Therefore, the scoping meeting will be on January 21, 2004.
- Last night there was an introductory meeting. On Saturday December 20, 2003, there will be a walking tour; on January 14, 2004, there will be a working session with staff present; and on January 21, 2004, there will be a scoping meeting.

Re: Staff's work load

- There is currently a staff work overload which is affecting many projects as well as the Planning Commission. He realizes that one way to solve the problem is to work on the Discretionary Review policy which is before the Commission next week.
- The other solution would be to limit the amount of paperwork presented in case reports. He will be looking for ways to simplify the case report.

Re: Entertainment Commission

- He had a meeting with the Acting Director and staff about ways to respond to his concerns.
- He will also be meeting with the president of the Commission.

Re: Workforce Housing

- The Chamber of Commerce put this on the ballot for the March 2004 election. It would direct staff to allow about 4 or 5 thousand units of housing in the central waterfront area,

and expedite the review of this type of housing assuming it creates a second tier of affordable housing.

- It takes code changes to do this.

- The Board of Supervisors did not get the votes necessary to put this on the ballot in November.

- It also includes two million dollars for the Department to do environmental review and long range planning to implement this. It does not broaden staff for neighborhood planning to expedite the permits that come in. If this passes, staff will be looking to the Board of Supervisors to implement this in a timely manner.

11. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –

Land Use Commission actions of December 8, 2003

The Committee passed a resolution that renews, for one more year, the Interim Controls regulating certain industrially zoned properties on Third Street between Islais Creek and Paul Street. These interim controls rezone these certain parcels from Industrial Zoning to NC-3, Moderate-Scale Neighborhood Commercial. This legislation was initiated by Supervisor Maxwell.

The Committee voted unanimously on an ordinance Designating 2926-2948 16th Street, the Labor Temple/Redstone Building, as a landmark under Planning Code Article 10. To most, this building is known to house Theater Rhinoceros. This legislation was initiated by Supervisor Daly.

Upcoming Appeals hearings at the Board of Supervisors on December 16, 2003:

701 Lombard Street

There is a question of whether there was a timely filing of this appeal.

The appeal is on the Planning Commission's decision from January 15, 2003, approving a final mitigated negative declaration for the proposed condominium project at 701 Lombard Street. The appeal was filed November 6, 2003, or about 11 months after this Commission certified the mitigated negative declaration.

937-939 Jackson Street

Appeal of Determination of Categorical Exemption issued on September 30, 2003.

Appeal Filed November 17, 2003.

899 North Point Street

Appeal of Categorical Exemption that was issued on March 12, 2003.

The Conditional Use hearing was continued to January 22, 2004. This appeal is now scheduled before the Board of Supervisors on January 13, 2004.

BOA -

Re: 355 Country Club Drive

- This project was a 1,400 square foot addition that the Commission reduced to 900 feet. Before the City issued the permit, the applicant asked the City to deny it. This denial went to the Board of Appeals and the Board increased the project to 1,100 square feet. The permit was finally issued. This permit was appealed to the Board of Appeals and the Board approved it again as an 1,100 square foot addition.

D. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

None

E. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

12. 2003.0444D (S. VELLVE: (415) 558-6263)
586 LISBON STREET - northwest side between France and Russia Streets, Lot 016A in Assessor's Block 6274 - Request for Discretionary Review of Building Permit Application 2002.06.12.8815 to construct a new three-story single-family dwelling located in an RH-1 (House, One-Family) District, 40-X Height/Bulk District.
Preliminary Recommendation: Take Discretionary Review and disapprove the permit.
(Continued from Regular Meeting of September 4, 2003)
NOTE: On July 24, 2003, following public testimony, the Commission closed the public hearing and passed a motion to continue this item to September 4, 2003 on a +6 -1 vote (Commissioner Antonini voted against the continuance). The Commission requested better and more legible drawings.

SPEAKER(S):**(-) Collins O'Neal – Project Sponsor**

- He has made various changes to his plans in order to satisfy the concerns of the Discretionary Review requestor.

(-) Richard Lane – Discretionary Review Requestor

- There were seven families at the July 24, 2003 meeting. The concerns were: height and bulk; loss of existing setbacks on both north and south sides of the building; the lack of good neighbor gestures; the mix of architectural styles in the façade; and the affect that a five bedroom house would have on the parking in the neighborhood.

- He has not seen the new plans.

- The neighbors have been quite frustrated about this whole situation.

(-) Steven Currier – Outer Mission Residents Association

- He attended the hearing on July 24, 2003.

- There were compromises that were verbally agreed to at that meeting.

- He has not seen the new plans either and as a mediator it is important for him to be updated on everything that is going on.

- Mr. Lane has done an exemplarily job on what should have been done a long time ago.

(-) Matthew Householder – Neighbor of Lisbon Heights

- He urged the Commission to encourage and enforce (where you can) project sponsors to pay close attention to the Residential Design Guidelines.

- His particular concern is preserving and increasing parking, preserving architectural character, preserving light and air, minimizing impacts on larger homes, limiting rear extension of projects, etc.

ACTION: Took Discretionary Review and disapproved the project.

AYES: Bradford Bell, Boyd, Feldstein, S. Lee, W. Lee

NAYES: Antonini and Hughes

F. REGULAR CALENDAR

13. 2003.0931D (K. MCGEE; (415) 558-6367)
440 BRANNAN STREET (A.K.A 70 ZOE STREET) - northwest side, corner of Zoe and Brannan Street, Lot 019 in Assessor's Block 3776. A mandatory Discretionary Review is required by Planning Commission Resolution Number 14844 on a proposal to add a Type 17 (Beer and Wine Wholesaler), Type 20 (Off Sale Beer and Wine), and Type 9 (Beer and Wine Importer) liquor license for 'Enovations Creative Wine Concepts'. The subject property is located in an SLI (Service Light Industrial) Zoning District, in a 50-X Height and Bulk District, and is in the Ballpark Special Use District (BVSUD)
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

(+) Jenny Carlson – Administrative Assistant for Innovations

- She is available for comments or questions.

ACTION: Did not take Discretionary Review and approved the project

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

ABSENT: Feldstein

This item was taken out of order and followed item 11.

14. 2003.0901D (E. TOPE: (415) 558-6316)
2014 - 2016 BUCHANAN STREET - east side between California and Pine Streets; Lot 27 in Assessor's Block 651 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2003.07.31.0876, proposing to merge two dwelling units to create a single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S):

(+) Al Alaimo – Project Sponsor

- He and his wife own the property.

- He found out that the property was zoned two family. He and his wife would like to return this property to a single family home.

- He found records from 1993 showing that the property had been converted many years ago.

- He and his wife want to live on this property as a single-family home.

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

15. 2003.0905D (E. TOPE: (415) 558-6316)
3874 17TH STREET - north side between Pond Street and Noe Street; Lot 075 in Assessor's Block 3564 - Mandatory Discretionary Review, under the Planning Commission's policy requiring review of all dwelling unit mergers. Building Permit Application No. 2003.01.21.5494, proposes to legalize the existing reconfiguration of a three-unit building, which was converted to two units after a house fire in 2001. This property is located in an RH-3 (Residential, House, Three-Family) District and 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the projected as submitted.

SPEAKER(S):

(+) Catherine Anderson – Project Sponsor

- She loves her house and has done a lot of work on it to improve the property and make it beautiful.

- She is available for questions.

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

NAYES: Feldstein

16. 2003.0872D (D. DIBARTOLO: (415) 558-6291)
40 VALPARAISO STREET - north side between Taylor and Mason Streets; Lot 034 in Assessor's Block 091 - Request for Discretionary Review of Building Permit Application No. 2003.0313.9586 proposing the construction of a new approximately 820 square foot third-story addition atop the existing two-story single family dwelling unit. The subject property is located in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.
Preliminary recommendation: Take Discretionary Review and approve the project with modifications.
- SPEAKER(S): None
ACTION: Without hearing, item continued to January 22, 2004
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
17. 2003.1093D (G. CABREROS: (415) 558-6169)
2258 BEACH STREET - north side between Baker and Broderick Streets; Lot 009D in Assessor's Block 0915 - Request for Discretionary Review of Building Permit Application No. 2003.07.02.8662, proposing to consolidate several previous building permit applications and to authorize construction beyond the scope of said permits in order to achieve final inspection by the Department of Building Inspection. Construction under these previous building permit applications includes, but is not limited to, a new third floor, a horizontal addition to the rear of the building, and new windows and skylights added to the existing single-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve with modifications.
- SPEAKER(S):
Re: Continuance
Brad Hooper – Discretionary Review Requestor
- He wrote a letter and spoke to various people in the Planning Department regarding a continuance.
- His reason for the continuance request is because his wife is a co-owner and she needs to be present to express her feelings on this issue.
- His wife cannot be here because she recently had surgery.
- He is just asking for a little time so his wife can be here.
Gram Maloney – Attorney
- The wing wall and the parapet has already been before the Commission.
- The only issue here is the field condition and a construction technique which causes the parapet to go 18 inches higher.
- He feels that there is no need to go before the Commission.
- ACTION: Without hearing the merits of the case, this item was continued to February 11, 2004.
AYES: Antonini, Boyd, Feldstein, Hughes, S. Lee, W. Lee
NAYES: Bradford Bell
18. 2003.0893D (G. CABREROS: (415) 558-6169)
927 LAKE STREET - south side between 10th and 11th Avenues; Lot 047 in Assessor's Block 1370 - Request for Discretionary Review of Building Permit Application No. 2003.01.10.4984, proposing to add a three-story addition to the rear of the existing three-story, single-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve.

SPEAKER(S):**(-) Richard Shrieve – Discretionary Review Requestor**

- He was assigned this request for Discretionary Review from the original applicants, Peter and Ann Costigan, who lived next door to the subject property.
- He respects the right for the project sponsors to expand their homes.
- He respects the architect-the architect designed an addition to his house.
- He has two reasons to the Discretionary Review: 1) he would like the Commission and staff to bear in mind the cumulative impacts on mid-block open space of other additions that could occur if this one does. There are at least three more families that are likely to expand if this one does; 2) It is important to voice the issues of the people who are most impacted, The Louie's and the Wongs. Both of these parties are here to voice their opinion.

(-) James Louie

- The 927 Lake Street owner should get together with the rest of the neighbors to have more discussions and reach a mutually acceptable conclusion.

(-) Jean Ng

- The proposed construction will limit her air circulation.
- The proposed extension would change the appearance of future structures.
- She requested that the Commission direct the project sponsor to reach an agreement with all the neighbors.

(-) Yvonne Don

- She is here to reinforce the opinion of the Discretionary Review requestors and the supporters of the DR.
- She feels that the open space is important. They considered this when they had to do a remodel.
- She displayed a map of the open space currently on the properties of the block.

(+) Rob Mackethan – Project Sponsor

- He and his wife purchased their home about 10 years ago. They now have three children and have actually "outgrown" their home. That is the reason for the expansion.
- Most of the neighbors have already made large additions to their homes.
- He feels that their addition is not out of character.
- He does not want to cause problems with the neighbors.
- He has had various conversations with his neighbors and because of these discussions his project has been scaled down.

(+) Dan Phipps – Project Architect

- He displayed images of the architectural aspects of the project.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

19. 2003.0736D (J. PURVIS: (415) 558-6354)
1477 RHODE ISLAND STREET - east side south of 25th Street; Lot 026 in Assessor's Block 4282A – Request for Discretionary Review on the proposed construction of a two-family dwelling on a vacant up-sloping lot under Building Permit Application No. 2002.11.14.1384. The new building would rise to four stories over a two-car garage and is in an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn.

20. 2003.0620D (J. PURVIS: (415) 558-6354)
1532 TREAT AVENUE - west side south of Precita Avenue; Lot 006 in Assessor's Block 5524 - Mandatory Discretionary Review, under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2003.03.27.0853 proposing the demolition of a two-story, two-family dwelling to be replaced with a three-story, two-family dwelling in an RH-2 (Residential, House, Two-Family) Use District, a 40-X Height and Bulk District and within the Bernal Heights Special Use District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
- SPEAKER(S):
(+) **Bill Pashalinsky – Project Architect**
- The project sponsor and the engineer who did the soundness report are here to answer any questions.
- This project has a lot of problems.
- Even if the project sponsor invested a major fortune to repair everything, the project would not be up to code.
- ACTION: Did not take Discretionary Review and approved the demolition.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
21. 2003.1078D (K. AMDUR: (415) 558-6351)
162-164 BERNARD STREET - north side between Jones and Leavenworth Streets; Lots 036 and 037 in Assessor's Block 0156 - Mandatory Discretionary Review under the Planning Commission's policy requiring review of all dwelling unit mergers, of Building Permit Application Nos. 2003.05.07.4000 and 2003.05.07.4004, proposing to merge two dwelling units to form a single-family residence on Lot 037 and to create a new dwelling unit on the ground floor of an existing garage structure on Lot 036. Both of the subject lots are in an RH-3 (Residential, House, Three-Family) and 65-A Height and Bulk Districts.
Preliminary Recommendation: Do Not Take Discretionary Review and approve the application as submitted.
- SPEAKER(S):
(+) **Julia Campbell – Project Sponsor**
- They have always used the property as a single-family house.
- Bernard Street is a small alley where the properties have been owned for many, many years.
- The way the property has been designed is very awkward.
- They have three children and would like to remain living in San Francisco.
- They also have support from the Russian Hill Neighbors Association because they would rather have this property converted to a single family home than have an addition constructed.
(+) **Camala Mosler – Project Architect**
- This house is one of the earlier houses on the block and is very modest.
- Adding a second garage space to the single garage space will be an amenity.
- The space on the first floor could be used as a second unit.
- ACTION: Did not take Discretionary Review and approved the merger.
AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee
NAYES: Feldstein
22. 2003.1167D (M. SMITH: (415) 558-6322)
183 ST. GERMAIN AVENUE (A.K.A. 121 ST. GERMAIN AVENUE) - south side of the street near Glenbrook Avenue, Lot 018 in Assessor's Block 2722 – Request for

Discretionary Review of Building Permit Application No. 2003.07.03.8801, proposing to construct a two-story single-family dwelling on a vacant lot located in a RH-1(D) (Residential, House, One-Family [Detached]) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take discretionary review and approve the project as modified.

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn.

23. 2003.1168D (M. SMITH: (415) 558-6322)
185 ST. GERMAIN AVENUE (A.K.A. 125 ST. GERMAIN AVENUE) - south side of the street near Glenbrook Avenue, Lot 019 in Assessor's Block 2722 – Request for Discretionary Review of Building Permit Application No. 2003.07.03.8805, proposing to construct a two-story single-family dwelling on a vacant lot located in a RH-1(D) (Residential, House, One-Family [Detached]) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take discretionary review and approve the project as modified.

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn.

6:00 p.m.

24. (C. NIKITAS; (415) 558-6306)
RESIDENTIAL DEMOLITION POLICY - A proposal to modify and refine interim criteria to implement a Temporary Residential Demolition Policy requiring mandatory Discretionary Review of all dwelling unit demolitions not requiring Conditional Use authorization, with certain exceptions; to adopt a specific Soundness Determination process; and to adopt criteria for conformity with applicable General Plan policies and objectives; and a recommendation to apply this policy for an approximate six-month period, after which a long-term policy would be presented for consideration and adoption by the Commission.

Preliminary recommendation: Adopt the Temporary Residential Demolition Policy.

NOTE: On November 6, 2003, following public testimony, the Commission kept the Public Hearing open and continued this item to December 11, 2003.

SPEAKER(S):

William Abend – AIA

- The only one issue that he has is that there has been three different policies for demolitions.
- Something should be done so that the project applicant should not have to pay in order to have things revised.
- He is available for questions.

Jeremy Paul

- It has been a long process to develop a policy on this issue.
- The Board of Appeals is going to be looking for more than numerical criteria. They are going to be looking at the opinions from the Commission about the project that is being demolished.
- It is important for people to understand what is in front of them and this criteria will help a lot.
- People should be proactive in managing their decisions about what to do with the housing stock. This is something that should be included in the policy.
- There has to be subjective criteria as well.

Pat Buscovich

- This process needs to be thorough and this document is very thorough.

- There should be some additional check list information that needs to be incorporated: the assessor's files; the three R reports from the Building Department; all permit histories; all the records from planning including whether the building is AS, and if it is AS, all the records, etc.

- The Planning Commission should understand that the Building Department is loath to tear a building down unless it is an eminent life-safety hazard.

- There are a large class of fire-damaged buildings that need to be torn down.

Hiroshi Fukuda – Richmond Community Association

- This hearing is being held during the holidays and that is why there are not that many people here.

- Any changes in the policy should be provided in a hand out so that the public knows what the changes are.

- The policy does not address the real issue of demolition.

Sue Hestor

- This policy should be adopted and moved along.

- There are lots of demolitions before the Commission and there are a lot of units that are being lost because of these demolitions.

- There is nothing objectionable in what staff is doing.

- It is very weary on people who are trying to stay on top of the documents.

- She would like [the policy] to have added a more thorough analysis of historical research.

ACTION: Approved as Corrected and Amended:

1. On Page 2 of the case report, under SCOPE OF THE POLICY, delete the word **EXACTLY** in the description of projects to be exempted from the mandatory DR policy. They are: structures determined to be public hazards or structures damaged beyond feasible repair by fire, earthquake, or other act of God to be demolished and replaced exactly in kind, and recommended for demolition by the Director of the Department of Building Inspection..
2. Please note that Recommendation #2, page 3, regarding fee recovery has been revised to reflect hourly rates provided by Administration staff to reflect current costs to the Department. Note that the proposal allows 20 hours of staff time, including the initial filing fee, to be allocated to a project, without further notification of the applicant, for a total allowed billable cost of \$1823.40.
3. In Recommendation #8, page 5, add "Contraction Cost Estimators" to the list of professionals allowed to author soundness reports. Also change the last sentence to read "*If the Commission rejects a Soundness Report, the Commission may require that any subsequent report for the project submitted to the Department be prepared by a new author meeting the requirements described above, not the original author.*"
4. Alter Recommendation #13, at the top of page 7, to read "... submit a **COMPLETED** supplemental information form **PROVIDED** (RATHER THAN prepared) by the Department .."
5. Change Recommendation #16 to read "*After an existing building is demolished, the replacement structure is built on what is briefly an infill lot. The Commission shall assess underlying zoning, neighborhood character, and surrounding unit density to encourage appropriate in-fill housing on sites in established neighborhoods, and to promote the construction of well-designed housing that preserves or enhances existing neighborhood character in conformity with the General Plan and the Residential Design Guidelines, where applicable. Therefore, the*

Discretionary Review of projects subject to this policy shall be advertised and noticed to include the permit application for the replacement structure, for the purpose of evaluating compliance of the project with Criteria 14 through 16. "

6. On Exhibit 2, the proposed Demolition Application Form. delete the word "exactly" in the description of buildings replaced in kind following a disaster. Also, please change the word "units" in Criterion 9 , to read, How many bedrooms are subject to rent control?" On page two of the form, the next to last paragraph needs to be revised to reflect the current hourly costs and staff hours for fee recovery, as described earlier.
7. On Exhibit 3, the Criteria Checklist, on Item 1, the last sentence of the first paragraph should read: If so, a hearing is not required , then add the words UNDER THIS POLICY.
8. Split criterion 16 into a & b, to read, does the project increase the number of housing units?, and Does the project increase the number of bedrooms on site?

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee
ABSENT: W. Lee
MOTION: 16700

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 7:08 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, January 15, 2004.

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, December 18, 2003

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

JAN 29 2004

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Edgar E. Boyd, Lisa Feldstein,
Kevin Hughes, Sue Lee, William L. Lee

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:34 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Acting Director of Planning; Jim Nixon – Acting Zoning Administrator; Michael Smith; Michael Li; Mary Woods; Glenn Cabrerros; Jonathan Purvis; Nora Priego – Transcription Secretary; Linda Avery - Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 1999.233E

(B. WYCKO: (415) 558-5972)

833 – 881 JAMESTOWN AVENUE - Appeal of Preliminary Negative Declaration The project sponsor proposes construction of a Planned Unit Development (PUD) that would consist of 198 one-, two- and three-bedroom market-rate condominiums on an approximately 6.9-acre lot, located at 833-881 Jamestown Avenue on Assessor's Block 4991, Lot 277, on the northern slope of Bayview Hill. The site is currently used as an overflow parking lot for events at Candlestick Park, which is approximately one-third of a mile southeast of the project site. The site is bordered by Jamestown Avenue (and single-family homes on the north side of Jamestown) to the north, another vacant lot to the east that also is used for parking for major events at Candlestick Park, the hillside to the south, and single-family housing to the west. Although the area proposed for development is mostly flat, development would require excavation of up to approximately 30 vertical feet at the base of the hill. The project would consist of 11 separate three- and four-story buildings: seven buildings of 12 to 18 units each along Jamestown Avenue and four buildings to the rear, at the base of the hillside. Of these latter four structures, two (36 units each) would be built atop one-story gated parking garages, while smaller buildings (one of eight and one of 10 units) would flank the garages. A total of 216 independently accessible parking spaces would be provided. The proposed project

would include landscaping along Jamestown Avenue, construction of a 10-foot-wide sidewalk, two off-street freight loading areas, and about 28,900 sq. ft. of common open space, including two rear yards at the base of the hillside totaling about 7,250 sq. ft. and podium- and ground-level patios. The project also would remedy an existing drainage problem on Bayview Hill above the project site, on Recreation and Park Department land. The project site is located within the South Bayshore Plan area, in an RH-2 (Two-Family) Use District and a 40-X Height and Bulk District. As a PUD, the project would require review and approval by the City Planning Commission pursuant to Sections 303 and 304 of the Planning Code.

(Proposed for Continuance to February 5, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to February 5, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

2. 2003.0966T (P. LORD: (415) 558-6311)
FORMULA RETAIL USES - Consideration of an Ordinance to amend the Planning Code by adding Section 703.3 and by amending Section 182 to make findings as to the need to regulate formula retail uses, to define formula retail uses, prohibit formula retail uses in the Hayes-Gough Neighborhood Commercial District and in the Neighborhood Commercial Cluster Districts at Cole and Carl Streets and Parnassus and Stanyan Streets, to require any building permit application for formula retail use to comply with the notice and design review procedures of Section 312 of the Planning Code, to provide that the burden to prove that a use is not a formula retail use rests with the building permit applicant or holder, and to provide that nonconforming uses in Residential District which are seeking to change in use to retail sales activity or retail sales establishment which is also a formula retail use must comply with the provisions of Section 703.3, making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Continued from Regular Meeting of November 20, 2003)

(Proposed for Continuance to January 8, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 8, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

3. 2003.0940C (K. MCGEE: (415) 558-6367)
1469 18TH STREET - on the corner of 18th Street and Connecticut Street; Lot 27 in Assessor's Block 4036 - Request for Conditional Use Authorization to install a Walk-Up Facility, an Automated Teller Machine (ATM), without providing a 3 foot recess from the front property line, located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and in a 40-X Height and Bulk District, per Planning Code Section 711.26. Preliminary Recommendation: Continue hearing date to January 15th, 2004.
(Proposed for Continuance to January 15, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 15, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

4. 2003.1110T (I. WILSON: (415) 558-6163)
REQUIRED SECOND MEANS OF EGRESS AMENDMENT - Consideration of an Ordinance amending the San Francisco Planning Code by adding a new Section 136(c)(4)(A)(i-v) to allow, as a permitted obstruction, a stairway that is a required Second Means of Egress under the Building Code.
Preliminary Recommendation:
(Proposed for Continuance to January 22, 2004)

SPEAKER(S): None
ACTION: Without hearing, item continued to January 22, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 5a. 2002.0605CV (J. IONIN: (415) 558-6309)
4614-4630 CALIFORNIA STREET - "The St. James Episcopal Church and Pre-School"; Lot 049 in Assessor's Block 1368 - Request for Conditional Use authorization pursuant to Section 209.3(f) & (j) of the Planning Code to allow for the demolition of existing structures and construction of a new building for the St. James Episcopal Church administrative facilities, offices for non-profit counseling accessory to the church-related services, and a child-care facility providing less than 24-hour care for 13 or more children by licensed personnel within an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with conditions.
(Continued from Regular Meeting of December 4, 2003)
(Proposed for Continuance to January 22, 2004)

SPEAKER(S): None
ACTION: Without hearing, item continued to January 22, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 5b. 2002.0605CV (J. IONIN: (415) 558-6309)
4614-4630 CALIFORNIA STREET - Request for Parking and Rear Yard Variances. Article 1.5 Section 150(b) of the Planning Code requires child care facilities to provide one independently accessible off-street parking space for every 25 children, where the number of such children exceeds 24. Section 150(d) requires that existing parking spaces be retained. The project proposes no new off-street parking spaces and the elimination of one off-street parking space where 1 is required (based on the existing deficiency). Article 1.2 Section 134 of the Planning Code requires a 45 percent rear yard, which can be reduced to 25 percent through averaging or 15 feet whichever is greater. The project proposes a 15 foot rear yard where 25 feet are required.
(Continued from Regular Meeting of December 4, 2003)
(Proposed for Continuance to January 22, 2004)

SPEAKER(S): None
ACTION: Without hearing, item continued to January 22, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

6. 2003.0724C (M. WOODS: (415) 558-6315)
1287-89 11TH AVENUE - west side between Irving Street and Lincoln Way; Lot 19, in Assessor's Block 1739 - Request for Conditional Use authorization under Sections 303 and 730.39 of the Planning Code to demolish two residential units on the second floor and above on an approximately 2,400 square-foot lot, in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk Districts. The proposed project would demolish the existing two-story over garage, two-family building and construct a new three-story over three-car garage building containing three dwelling units.
Preliminary Recommendation: Pending
(Proposed for Continuance to February 19, 2004)

SPEAKER(S): None
ACTION: Without hearing, item continued to February 19, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of Adoption – Draft Minutes of November 13 and 20, 2003 and December 4, 2003.

Minutes of November 13, 2003

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee

EXCUSED: W. Lee

Minutes of November 20, 2003 and December 4, 2003

SPEAKER(S): None

ACTION: Without hearing, items continued to January 8, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

8. Commission Comments/Questions

Commissioner Antonini:

Re: Process Problems between Board of Supervisors and Planning Commission

- It is becoming quite clear that there is a process problem between the Planning Commission and the Board of Supervisors on a number of issues.
- There have been items continued from the Planning Commission agenda because there have been negative declaration appeals at the Board of Supervisors.
- The process makes it very uncertain for the sponsors and opponents of when items are actually going to be heard and decided upon.
- There seems to be a lot of appeals going on.
- He hopes to see in the new year rectification of these problems.

Commissioner Bill Lee:

Re: Landmarks Board

- He requested a presentation/discussion with the Planning Commission by the Landmarks Advisory Board or its Executive Director on their goals and objectives as well as any issues they might have.

Acting Director Responded:

- This will be scheduled at the end of February.

C. DIRECTOR'S REPORT

9. Director's Announcements

Re: BART Transit Oriented Development Guidelines

- He recently received this document. It was a two year process lead by Mr. Peter Albert, Manager of Planning for BART for San Francisco and San Mateo. Mr. Albert was formerly a member of our staff.
- This document is available.

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS –

Board of Supervisors Meeting of December 16, 2003:

701 Lombard Street:

- This Mitigated Negative Declaration became final on January 15, 2003.
- The appeal was filed in November of 2003.
- There was no appeal of the Negative Declaration.
- The City Attorney ruled that there was not a requirement that the sponsors exhaust their legal remedies by coming to the Commission. The City Attorney also ruled that since

there were no timelines, they could not advise the Board that it wasn't timely. That would be a decision that the Board had to make.

- The Board voted +6-4 that it was timely (Dufty, Gonzalez, Hall and Ma voted No).

- For the consideration of the full matter, the Board voted +7-3 to require an EIR rather than a Mitigated Negative Declaration. There were concerns about views from the North Beach Playground to Russian and Nob Hill and that the potential historic nature was not considered for the North Beach Playground.

Re: 937-939 Jackson Street

- This project had a categorical exemption and a general rule exclusion.

- The project sponsor met with MUNI and the affected neighbors and ultimately came out with some conditions that everyone was going to be able to live with.

- For the conditions that staff would have been recommending today, Supervisor Daly felt that he did not trust the majority of the Planning Commissioners to impose the conditions so he required that a Negative Mitigated Declaration be prepared.

- This was voted +7-3.

BOA -

Re: 2545 Greenwich Street

- This was a merger of three units to two units. The Commission disapproved the merger and the Board of Appeals overturned the Commission's decision.

Re: 540 8th Avenue

- This was a demolition and new construction. The Commission disapproved the demolition and the Board of Appeals overturned the Commission's decision.

Re: 1835 19th Avenue

- This was a demolition and new construction. The Commission approved the demolition, a neighbor appealed the project. The Board upheld the Commission's decision.

Re: 660 28th Avenue

- This was a lot split and two new units being built. The Commission approved the project, a neighbor appealed but the Board upheld the Commission's decision.

D. REGULAR CALENDAR

11. 2003.0242Q (M. SMITH: (415) 558-6322)
362-366 SANCHEZ STREET - west side of the street between 16th and 17th Streets, Lot 014 in Assessor's Block 3564 - Public hearing to determine consistency of a proposed five-unit Condominium-Conversion Subdivision with the General Plan, located in a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval for Finding of Consistency with the General Plan.

SPEAKER(S):

(+) David Gellman – Representing Project Sponsor

- He is available for questions.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16701

- 12a. 2002.1298EKCDV (M. LI: (415) 558-6396)
624 and 630-632 Laguna Street - northeast corner at Ivy Street, Lots 012 and 013 in Assessor's Block 0807 – Adopting CEQA findings regarding a request to construct a four-story, 45-foot-high senior care facility with a roof deck for up to 56 residents within an RM-1 (Residential, Mixed, Low-Density) District, the Hayes-Gough Neighborhood

Commercial District, and a 50-X Height and Bulk District. An amended Addendum, dated November 21, 2003, was issued to revise the Final Negative Declaration adopted on May 7, 2003 in response to the revised scope of the project.
Preliminary Recommendation: Adopt the CEQA findings

SPEAKER(S):

(+) Steve Vettel – Morrison and Forrester – Representing Project Sponsor

- This project will be operated by Synergy Living who operates a similar facility at 601 Hayes Street.
- This project is consistent with the General Plan.
- Parking is not necessary for this property. This is only a 4,000 square foot site. To provide six parking spaces would take the entire ground floor of the building, if not more.
- Non of the residents of this facility can drive or will have vehicles. This is a transit rich area.
- The project has support from the Hayes Valley Neighborhood Association as well as other community organizations.

(+) Doris Bersing

- She supports this project.
- She represents and is the Director of the Pacific Institute, a non-profit community organization directed towards the elderly.
- Having this type of project in the neighborhood will enrich their work for the community.
- The project sponsor really cares for the elderly and the work they do for them.

(+) Kate White – San Francisco Housing Coalition

- She is here in support of the project.
- The Coalition endorsed the project at their November meeting.
- There are many wonderful merits to this project, including 20 percent of the units will be available to low income seniors.
- The area is a very transit oriented area and many of the residents will not be driving.

(-) Christian Matthews

- There are a few discrepancies with the notification that he received.
- He is also concerned with the off street parking since there will be people that will visit the residents. This would cause less parking in the neighborhood.
- He would like the Commission to explain to him if the project will be four stories or more.

ACTION: Approved CEQA findings

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16702

- 12b. 2002.1298EKQDV (M. LI: (415) 558-6396)
624 AND 630-632 LAGUNA STREET - northeast corner at Ivy Street, Lots 012 and 013 in Assessor's Block 0807 - Request for conditional use authorization to construct a four-story, 45-foot-high senior care facility with a roof deck for up to 56 residents within an RM-1 (Residential, Mixed, Low-Density) District, the Hayes-Gough Neighborhood Commercial District, and a 50-X Height and Bulk District. The project requires mandatory discretionary review by the Planning Commission for the demolition of a vacant three-unit residential building on Lot 013. The project is also requesting floor area ratio, rear yard, and off-street parking variances.

Preliminary Recommendation: Approval with conditions

SPEAKER(S): Same as those listed for item 12a.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

MOTION: 16703

- 12c. 2002.1298EKCDV (M. LI: (415) 558-6396)
630-632 LAGUNA STREET - east side between Ivy and Grove Streets, Lot 013 in Assessor's Block 0807 - Mandatory discretionary review of Building Permit Application No. 2003 1119 0544 proposing the demolition of a vacant three-unit residential building at 630-632 Laguna Street within an RM-1 (Residential, Mixed, Low-Density) District and a 50-X Height and Bulk District.
Preliminary Recommendation: Do not take DR and approve the demolition
- SPEAKER(S): Same as those listed for item 12a.
ACTION: Did not take Discretionary Review and approved the demolition.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
- 12d. 2002.1298EKCDV (M. LI: (415) 558-6396)
624 AND 630-632 LAGUNA STREET - northeast corner at Ivy Street, Lots 012 and 013 in Assessor's Block 0807 - Floor area ratio, rear yard, and parking variances sought. The proposed project is the construction of a four-story, 45-foot-high senior care facility with a roof deck for up to 56 residents within an RM-1 (Residential, Mixed, Low-Density) District, the Hayes-Gough Neighborhood Commercial District and a 50-X Height, and Bulk District. The Planning Code allows a maximum floor area ratio of 3 to 1 on Lot 012 and a maximum floor area ratio of 1.8 to 1 on Lot 013. The project is seeking floor area ratios of up to 3.5 to 1 on Lot 012 and up to 2.4 to 1 on Lot 013. A rear yard of approximately 23' 0" is required for the portion of the project that occupies Lot 013, and the project includes a 34-square-foot stair enclosure (4' 6" by 7' 6") that would encroach into the required rear yard. The project is proposing to provide zero off-street parking spaces where six spaces are required. The variance requests will be considered by the Zoning Administrator.
- SPEAKER(S): Same as those listed for item 12a.
ACTION: Zoning Administrator closed the Public Hearing and will grant the variances subject to: 1) Sponsor is to seek a yellow zone on Ivy Street; and 2) seek a white zone on Laguna Street.
13. 2003.0881C (M. WOODS: (415) 558-6315)
3119 CLEMENT STREET - south side between 32nd and 33rd Avenues; Lot 26, in Assessor's Block 1464 - Request for Conditional Use authorization under Sections 303 and 710.48 of the Planning Code to allow live entertainment associated with a ground floor full-service restaurant, the El Mansour Moroccan Restaurant, in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. The proposal is to add live entertainment (belly dancing) on Tuesday through Sunday evenings. (The El Mansour Moroccan Restaurant is currently located at 3123 Clement Street; the applicant is proposing to relocate the restaurant including the live entertainment to 3119 Clement Street.)
Preliminary Recommendation: Approval with conditions.
- SPEAKER(S):
Hauda Tauverakul – Project Sponsor/Owner
- She is available for questions.
- ACTION: Approved
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee
MOTION: 16704
14. 2003.0838C (G.CABREROS: (415) 558-6169)
848 COLE STREET - east side between Frederick and Carl Streets; Lot 028 in Assessor's Block 1268 - Request for Conditional Use Authorization under Planning Code Section 303 and 710.44 to allow on-site beer and/or wine sales for drinking on the

premises at an existing small self-service restaurant known as *Reverie Café*, located within an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District. As the proposal is within the Haight Street Alcohol Moratorium Sub-district, an existing alcohol license (from the now-closed *Truly Mediterranean* Restaurant at 1724 Haight Street) is to be transferred to *Reverie Café*. No construction work is proposed as part of this application.

Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

(+) Roger Suda – Project Sponsor

- He submitted a letter of support from the neighborhood association and signatures of people who are in support of the project.
- He is available for questions.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Hughes, S. Lee, W. Lee

EXCUSED: Feldstein

MOTION: 16705

15. 2003.0142C (J. PURVIS: (415) 558-6354)
3179 23rd STREET - south side between Shotwell Street and South Van Ness Avenue; Lot 036 in Assessor's Block 3641 - Request for Conditional Use Authorization under Planning Code Section 209.3(c), to convert six dwelling units into a 22-bed residential care facility within an RH-3 (Residential, House, Three-Bedroom) Use District and a 50-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Steve Vettel – Representing Project Sponsor

- This application is to legalize the existing application.
- The City is in great need of this kind of use.
- The Department of Public Health is in support of this project.
- Many of the people who would benefit from this project are people who are homeless and are in great need of shelter and meals. A member of the Department of Health will monitor all the meals.
- Because the building has undergone the Ellis Act procedures, the building cannot be used as dwelling units for the next 10 years.
- They regret the displacement of the two tenants.

(+) Ernie Bonner, MD

- He practices internal medicine. He provides health services to people who reside in residential facilities.
- He is in support of the project.
- There is an increasing crisis related to mental health in San Francisco.
- There is a lack of beds to house people who are mentally ill.
- These people are the most needy and are least capable of taking care of themselves.

(+) Sydney Lam

- He works for the Department of Public Health.
- This is the most cost-effective structure to house mental health patients.
- All the patients cannot live independently.
- There will be three meals daily, 24-7, with monitoring and constant medication supervision.
- If these types of facilities were not available, these patients would have to go back to hospitals or be homeless.
- Ms. Jacobs is a compassionate person.

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, S. Lee, W. Lee
NAYES: Feldstein and Hughes
MOTION: 16706

- 16a. 2003.0904D (J. MILLER: (415) 558-6344)
937 - 939 JACKSON STREET - south side between Powell and Mason; Lot 028 in Assessor's Block 0191 - Mandatory Discretionary Review of Building Permit Application No. 2003.07.24.0318 proposing the demolition of a two-family dwelling and its replacement with a new building containing nine dwelling units. The subject property is located in an RM-3 (Mixed Residential, Medium Density) District and a 65-A Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and approve the Demolition Permit.
(Continued from Regular Meeting of November 20, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to February 26, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 16b. 2003.0535EDV (J. MILLER: (415) 558-6344)
937 - 939 JACKSON STREET - south side between Powell and Mason Streets, Lot 028 in Assessor's Block 0191, in an RM-3 (Mixed Residential, Medium Density) District and a 65-A Height and Bulk District - Request for Discretionary Review of Permit Application 2003.05.20.5122 to construct a new four-story, nine-unit residential building approximately 40 feet in height.
Preliminary recommendation: Take Discretionary Review and approve the permit with conditions.
(Continued from Regular Meeting of November 20, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to February 26, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

- 16c. 2003.0535DV (J. MILLER: (415) 558-6344)
937 - 939 JACKSON STREET - south side between Powell and Mason Streets, Lot 028 in Assessor's Block 0191, in an RM-3 (Mixed Residential, Medium Density) District and a 65-A Height and Bulk District. Rear yard variance requested for a proposal to construct a new four-story residential building containing nine dwelling units with a ground-floor garage containing nine off-street parking spaces, after demolition of the existing two-family dwelling. A portion of the garage level (only) is proposed to project approximately 19 feet five inches into the otherwise-required rear-yard area, leaving an area open and clear (from the ground up) of 15 feet behind it. This proposed space would be devoted to three additional bedrooms and bathrooms, as parts of two units above providing a four-bedroom unit and a three-bedroom unit. The upper surface of this rear projection would be developed as a usable open space. The application requesting a Variance will be heard by the Acting Zoning Administrator.
(Continued from Regular Meeting of November 20, 2003)

SPEAKER(S): None
ACTION: Without hearing, item continued to February 26, 2004.
AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

6:00 p.m.

17. 2003.1049T (J.IONIN: (415) 558-6309)
DISCRETIONARY REVIEW POLICY - Consideration of adoption of a Policy to create a pre-application process for all new construction and certain expansion applications in RH and RM Districts and to establish criteria for administrative discretionary review.
(Continued from Regular Meeting of November 20, 2003)
Preliminary Recommendation: Adoption

SPEAKER(S):

Re: Continuance

Judy Berkowitz

- She met with Mr. Ionin in November and has made suggestions to the draft document.
- They have not had time to present these suggestions. Also because of the holidays, she is in agreement with continuing this item.

Marilyn Amini

- She is in agreement with continuing this item at least 60 to 90 days.
- There has been inadequate notice.
- She submitted letters and documentation from neighborhood groups who are in agreement with the continuance.

Richie Hart

- This is a very important process and there are a lot of things to review.
- Please keep the Pre-Application process separate.

Hiroshi Fukuda – Richmond Association

- Zoning = location, location, location.
- He has not had enough time to look over all the information.
- He is in agreement with a continuance.

Bruce Bonnacker

- He would like to start the pre-application aspect of this proposal in order to give it a "test run".
- He is a little bit confused on a few items. The continuance would allow for time to have some items explained.

ACTION: Without hearing the merits of the issue, the item was continued to February 5, 2004.

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

18. (L. BADINER: (415) 558-6411)
EASTERN NEIGHBORHOODS COMMUNITY PLANNING - The Planning Commission will discuss and possibly adopt Interim Policies and/or discuss and direct staff to prepare a resolution for initiation of Interim Controls. Planning Department staff will provide a status report on the Environmental Review process for the Rezoning of the Eastern Neighborhoods. The Planning Commission will also schedule a subsequent hearing to review and discuss the work scope of Public Benefit Zoning and Community Impact Report (Socio-Economic Analysis) and to discuss non-conforming uses.
Preliminary Recommendation: Adopt Interim Policies
(Continued from Regular Meeting of November 20, 2003)

SPEAKER(S):**Curtis Eisenberger – Coalition of Economic Justice and Jobs**

- He received the document about two days ago. It is very long and it is very complex.
- It is really not fair for the Commission to take action this evening.
- It is important for neighborhood groups to respond to what was presented today.
- There has been a negative absorption regarding PDR space.

Mary Murphy – Forella, Braun and Martel for Bay West

- She is representing the Bay West Group which owns property in the Showplace Square area.

- There is an issue about policies or controls. She is in support of adopting policies and not controls.

Charlie Sciammas

- Moving forward with this process is very important.
- They have organized a community process and have established stakeholders. The present process is much different than a couple of years ago.
- It is important to support interim controls instead of policies.
- With controls there would be a standard set of rules for developers instead of policies that would be based on a case-by-case basis.
- He emphasized that controls are really important.

Emmanuel Zuniga

- He has lived in the Mission for 16 years and used to live in very crowded conditions.
- Now, thanks to affordable housing, he is able to have his own room.
- It is important to have interim controls and not policies.

Kyle Fiore

- She is in support to having interim controls and not policies.
- As an educator, she realizes that it takes a village to make a home.
- Families, youth and community members need to be able to live in a place they can call home.

Fred Snyder

- He is a resident of the NEMIZ.
- He is not in support of policies or controls. The controls meant no development. In his neighborhood, everything has become so political that it has become a "war zone." He needs a stable environment for everyone in the community.
- It is important to look at this information and [continuing for] two weeks is fair.
- He showed a map of the NEMIZ pointing out that in the core PDR areas, housing has been introduced.
- The definition of Core PDR in the information presented to the Commission is misleading.

Robert Meyers

- He is in support of policies and not controls. If controls are adopted, control will be lost.
- There have been controls for two years already. Policies will give flexibility on what should be approved or not.
- If PDR is promoted, there will be more PDR space and less housing.

Chris Selig – Mission Anti-Displacement Coalition

- She is in support of controls.
- In the Mission, specifically, it is very imperative to have controls.
- It is important to maintain the PDR space.
- Control will not be lost with controls. This is a total fallacy.
- Guidelines seem to be like "anything goes."
- They are not against development; just that development should be built intelligently.

Alex Hernandez

- She is a youth project coordinator and affordable housing tenant.
- She is here in support of affordable housing.
- Interim controls promote affordable housing and protect jobs. Interim controls are important because the Planning Department will be adopting this.
- Interim controls will protect the community.
- Interim controls allows the public to be involved in the decision-making process.

Antonio Diaz – PODER/MAC

- He is in support of adopting interim controls.
- It is important to consider the fact that no one knows how the economy is going to be in two or three years. It is important now to have protection in place for neighborhoods.
- The need for protecting PDR spaces has been continually reiterated.
- MAC has done focus groups as well as community meetings and the outcome of all this is that housing and jobs are the most important issues.
- Controls will help allow for these things.

Teresa Garcia – Mission Economic Association

- She is here to advocate for interim controls and not policies.
- It doesn't make sense to have a neighborhood based on a location-by-location basis.
- The decisions being made will be affecting people.

Joaquin Turner

- He supports interim controls.
- Proponents of interim controls state that this will protect businesses but don't state exactly how.
- Interim policies will push [out] PDR and threaten San Francisco's diverse economy.
- Planning for the future is important.

Jeffrey Leibovitz

- Interim policies are the way to go.
- Flexibility is important because the economy is not stable.
- The reality of two years ago is not the reality of today.
- There are some legal ramifications because [some feel that] under interim controls there is no need for approval of the Board. This is false.
- He urges the Commission to put entertainment language in the policies section.
- The public benefits are extremely important and no one has talked about it.

Maria Hernandez

- She has been living 18 years in the Mission District.
- It is unfair that poor people have had to pay high rent.
- It is important to have rent controls.
- She urged the Commission to do something to help the people who are paying such high rents.
- Low-income people cannot afford to have a decent meal because they have to save the money for the high rents.

Jose Morales

- He is willing to continue to work for housing justice and peace.
- He is here in support of interim controls because without that there is no way to control the situation.
- There are people who want more and more money.
- He has lived in his home for 38 years.
- He is willing to fight for his neighbors. It is important to preserve affordable housing.

Judy West

- She lives and works in the Northeast Mission area.
- It is confusing the way things are presented.
- South of Mariposa there are numerous blocks designated as PDR that have a lot of housing. It is misleading to designate areas as core PDR that contain housing.
- She displayed photographs of buildings that desperately need upgrading.
- There are a lot of people who are testifying today representing low income residents that have been misled thinking that controls will promote low income housing.
- Core PDR is not the solution and certainly not controls.

Milton Gaines

- He has been living in the Mission District for 34 years.
- The need for flexibility is important.
- If controls are set, it would limit opportunities.
- The word controls--in the eyes of non profit housing--is an effort to shut down all development on a footprint larger than 15,000 square feet.
- Policies are what is important.

Steve Vettel

- The public benefit zoning should focus on open space and the streetscape (things that haven't been able to be paid for from property taxes).
- He would be very cautious about putting the very number one item in the public benefit--zoning additional affordable housing--above the inclusionary ratio that there is now. The inclusionary ordinance was just adopted two years ago and is working well.

- If all of a sudden after two years, the 12 percent/10 percent standards is thrown out, this would cause an impact on the pro-formas.
- The Rincon Hill Draft Plan talks about the mellarouse district and he recommends that this discussion be extended to the rest of the Eastern Neighborhoods.

Luis Granados

- He is disappointed that the full Commission is not present to take a vote on this matter.
- He does have to take issue with a couple of Commissioners and the factual evidence being presented. They dismiss this information because they don't like it. Decisions cannot be made this way.
- This is about creating and sustaining PDR areas.
- He encourages the Commission to adopt controls and adopt the public benefit. It is important to focus on the socio economic impacts.

My Do – Mission Economic Development Association

- The important thing about PDR businesses is that they are a balanced approach to economic development. Yes, people need places to live but they also need jobs.
- These businesses also provide goods and services to other sectors of the economy and contribute to a diverse economic base. This is very important when there is an economic downturn.
- PDR jobs and businesses need to be projected.
- She urges the Commission to adopt interim controls instead of policies.

Sue Hestor

- The developers want flexibility, the people that are concerned about the future in the area being proposed would rather have options preserved rather than options foreclosed.
- The land values should not go so high because the public interest would not be well served.
- People still have to come here and fight project by project and lose project by project.
- Since 1996, all the housing built in the Mission and industrial areas have been market rate. This is not healthy.

Shawn Gorman

- The showplace square workshop process had an unusual amount of consensus for a neighborhood process.
- The mixed use alternative which is used in Exhibit B was the basis for option B of Potrero Hill/Showplace Square.
- The exhibit clearly states that there will be no net PDR loss, then Exhibit A is trying to retain PDR in an area that is NC (neighborhood serving businesses).
- There has been a lot of work done over the years to try to find something that will meet the PDR needs and meet the evolutionary needs that are going to have to occur in this area.

Ada Chan – Mission Anti-Displacement Coalition

- When she received the packet she did like everyone else and looked lot by lot and street by street. Then she decided not to continue and just be excited to be at this meeting.
- A decision needs to be made sooner or later.
- Although there are disagreements with various groups, she believes that controls are the best decision.
- There are also speculations on all sides so everyone just needs to trust staff.

Richie Hart – Residential Builders Association and Potrero Boosters

- Staff needs to check their facts more closely.
- He believes that one can get the names and addresses of new businesses from the Tax Collector. The only thing that one cannot obtain is the amount of tax that these businesses pay.
- Interim controls do not work and do not make any sense at all.
- There is a major shortage of housing in the City.
- No one has thought of UCSF at Mission Bay.
- He would like Commissioners to vote no on Interim Controls.

Joe O'Donoghue – Residential Builders

- Builders are in favor of jobs.
- Before the Commission makes a decision, there is a need for more data.
- Information on the breakdown of the loss of PDR over the 10 years to know what the trend has been.
- This information is not before the public.
- Someone from the Controller's office needs to come to the Commission to answer questions and provide information.

Alice Barkley

- She is in agreement with the comments made by Ms. Murphy, Mr. Leibovitz, and Mr. Vettel.
- She prefers the policy of interim policies.
- If the Board of Supervisors decided to create a special affordable use district, which there are plenty in the Planning Code, the Commission would then have to impose the 4:1 requirement or whatever is in the interim controls. So there is no flexibility. That is why she prefers policy and not interim controls.

Chris Durazo

- There is no consensus in the South of Market. There is a lot of poverty in that area and this is going to grow.
- Although there is West SOMA, which will be taken out of this process, controls are important.
- There are going to be a lot of projects coming before the Commission in the future so she is concerned about all this.
- There are issues about decent jobs with residents of SOMA. Areas around the bridge are being ignored.
- Public benefit zoning is very important although there are a lot of different levels.

ACTION: Public Hearing Closed. Following Commission deliberation, this item was continued to February 12, 2004, to allow the absent commissioner to participate in the final action..

AYES: Antonini, Bradford Bell, Feldstein, Hughes, S. Lee, W. Lee

ABSENT: Boyd

E. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Joe O'Donoghue

Re: Actions at the Board of Supervisors

- At the Tuesday Board of Supervisors' meeting, \$20,000 per unit was added on to a potential 18 units of housing. This was the result of a state law which now allows negative declarations to be

appealed at the Board of Supervisors. Unfortunately, the Supervisors spent about 4+ hours on what was surreal discussions because the vote was already predetermined.

- He is looking seriously at filing protests on every single negative declaration that comes out of every project to the Board of Supervisors.
- He is probably going to do this beginning in January.
- Last year City workers suffered from the deficit.
- This year labor will have to take cuts which they are not willing to do.
- There is a need to understand that jobs are leaving this City as a results of dumb decisions, and housing is becoming more and more expensive.

Alice Barkley:

Ms Barkley's comments were on an item listed on today's calendar. She was reminded that her opportunity to speak on that item was at the time it was considered on the calendar--but not at this time.

Adjournment: 9:40 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, January 15, 2004.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Boyd, Feldstein, Hughes, S. Lee, W. Lee

